



TOWN OF CHINCOTEAGUE, INC.

October 3, 2011

Louis S. Hinds, III, Refuge Manager
Chincoteague National Wildlife Refuge
P.O. Box 62
Chincoteague Island, Virginia 23336

RE: CNWR Comprehensive Conservation Plan
August 2011 Newsletter

Dear Mr. Hinds:

On behalf of the Town of Chincoteague and the Chincoteague to Assateague Beach Access Advisory Committee, I am presenting a brief list of comments, concerns and ideas regarding the Comprehensive Conservation Plan (CCP) Alternative Concepts for the Chincoteague National Wildlife Refuge that are included in your August 2011 Newsletter. We appreciate your efforts to allow community participation in the CCP planning process and sincerely hope that you will work with us on the Alternatives before one is selected.

In a letter from Congressman Scott Rigell, dated May 27, 2011, the USFWS received a comment that 'public access to the beach' should be added as a Vision and Goal for the CCP. We are surprised that this suggestion was not honored in the published August newsletter of alternatives. Since the draft vision and goals inform the development of preliminary alternatives according to the newsletter there should be another opportunity to review a revised set of alternatives that respond to this important goal of over 80% of the visitors to the Refuge¹. As you move forward to select a preferred management strategy, please consider the following recommendation:

An Alternative Plan for the next 15 to 20 year period based on 'Current Management' modified to 1) eliminate the acquisition of land on Chincoteague Island, 2) eliminate the use of transit to replace existing beach parking, 3) continue to permit current compatible uses, 4) revise the 1992 Master Plan to allow a USACE Storm Damage Reduction Study/Plan/Project that will protect and restore the existing recreational beach and 961 space parking lot infrastructure from the effects of erosion and storm damage, and 5) add a 300 space parking area behind the current Parking Lot #1. We believe that this is a responsible solution to "make the most of what we have" in a time of economic constraint.

Everyone agrees that the CCP for the future should be built on a foundation of good principles and best information. The simplified format of the newsletter gives the impression that certain information is not being considered, beginning with not presenting a record of success for the 1992 Master Plan. This

¹ Town of Chincoteague 2010 Visitor Questionnaire

makes people think that change is being proposed for the wrong reasons. The following reasons and principles are offered in support of the Town position defending the exceptional combination of Beach and Wildlife at CNWR for another 15 years.

- **NPS Assigned Area** – The ‘assigned area’ described in the Inter-Agency Agreement between USFWS and NPS pertaining to the administration, development, and use of the Toms Cove Hook area is the result of years of negotiated agreements and Congressional review by Senate and House of Representatives committees.² Relocation or change in the area provided for the purpose of public recreation use must include more than 1 mile of beach and 8.5 acres for parking lots offered in the alternatives. Public review of a draft inter-agency agreement is requested.
- **Barrier Island Shelter** – The approved 1992 EIS and CNWR Master Plan have provided for the repair and maintenance necessary to protect developed facilities including the recreational beach and parking areas adjacent to Toms Cove. This is consistent with Public Law 89-195 Section 8 that requires a plan for erosion control and hurricane protection of the seashore. The Town cannot support a change in FWS/NPS management strategies that would allow an inlet or breach to remain without repair between the Atlantic Ocean and Toms Cove. This would expose an ‘at-risk’ population located on Chincoteague Island to over 4 feet of base flood elevation and storm damage.
- **Exceptional Visitor Experience** – The current seashore destination at Toms Cove provides Refuge visitors with an exceptional sequence of views, activities and the freedom to enjoy the outdoors in the convenience of their own mode of transportation. Toms Cove is a 360 degree experience that is worth fighting for. A plan for the protection and nourishment of the land base necessary for beach and parking areas must be one alternate strategy.
- **The Local Economy** – Alternative management actions have been proposed by the FWS that would change the cost, convenience and accessibility of the Refuge to the average visitor. The Town is concerned that these changes would cause serious and lasting harm to the local tourism based economy, and a loss of jobs as a direct result of proposed changes in the CCP.
- **The Local Culture** – Coordinated strategies between FWS and NPS regarding a marine sanctuary, water/shoreline access, commercial boat permits, fishing and aquaculture uses that are included in the alternatives appear to significantly impact traditional water based income, jobs, businesses and industries. Any restriction of the Chincoteague Pony herd will cause direct harm to the Chincoteague Volunteer Fire Company and our Community identity. The Town cannot support increased Federal regulation of everything that defines our local culture and economy.
- **Protect Existing Infrastructure** – The Town supports the protection and maintenance of current infrastructure and facilities for the next generation to enjoy. Beach Road access to the Seashore, convenient parking areas, the Bateman Visitor Center/Lighthouse, the NPS Visitor Center/Coast Guard Station, and even the freshwater impoundment system are all high value public investments that are placed at risk in the proposed alternatives by a change in management strategies.
- **Gateway Town and Wildlife Refuge** – Aside from issues of alternative transportation, the potential purchase of any property within the Town of Chincoteague using federal tax dollars raises significant issues about the wise use of public investment, loss of Town tax base and unfair

² US Code Title 16/Ch.1/SubChLXIII/Section 459f-11, Final EIS for the CNWR Master Plan, 1992, Compatibility Determination – NPS Activities approved 2004-2014.

competition, as well as NPS control over interstate commerce and restricted marine access along the Assateague Channel waterway. The Town is opposed to the increased encroachment of Seashore/Refuge boundaries on Chincoteague Island and the Commonwealth of Virginia.

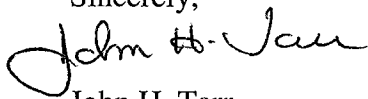
- **Transit at all cost** – Selection of the Volpe Center acting as a consultant to prepare the EIS and Master Plan for CNWR is a conflict of interest that only results in the FWS promoting an expensive, unsustainable urban form of transit services at any cost. Public comment representing over 16,000 visitors to the Refuge in 2010 indicated that 82% would not return for another visit if direct beach parking was not available and a trolley/bus from a remote parking lot in Chincoteague was available instead.³ The Town supports a strategy that maintains at least 961 parking spaces at Toms Cove with reserve parking areas on the Refuge for an interim post-storm response.
- **No Cookie Cutter plan** – CNWR is a unique and treasured landscape that has worldwide recognition. The Town does not support FWS alternative strategies as presented to reduce or eliminate the famous Wild Chincoteague Ponies, to replace individual outdoor experience with a Disney-like group experience, and to apply uniform national policies that further reduce already limited public access to the Seashore in favor of exclusive EE zones.

Beyond the next 15 years, you make a strong case for an alternate strategy to relocate the recreational beach and associated infrastructure to the north. We can agree that a contingency plan should be prepared for the next 15 years; however, we cannot support proposed Alternative B in its current form. Alternative C which would reduce USFWS program activities below current levels is not desirable. Alternative D contains exclusive 'wildlife only' goals that are adequately provided for in other areas supervised by the CNWR Refuge Manager (Wallops Island, Southern Barrier Islands unit, Eastern Shore VA NWR) and do not belong within the National Seashore boundary.

Without a viable alternative to support, the Town of Chincoteague chooses to advocate a continuation of the current management strategies. Ongoing modifications that balance recreational and wildlife values with deliberate actions to protect existing public investment over the next 15 years is the preferred solution.

Thank you for your efforts on behalf of the people who visit the Refuge and Seashore, and those who live and work in the surrounding communities.

Sincerely,



John H. Tarr
Mayor

Attachment

cc. Trish Kicklighter, NPS
Elected Representatives

³ Town of Chincoteague Beach Access Questionnaire, 2010

"One-fifth of all the people in our Nation live within an easy day's drive of Assateague. And now as the result of your labors--you, the farsighted Members of Congress--these wide sandy beaches will be the people's to enjoy forever."

"What the Good Lord once gave in greatest abundance have now become rare and very precious possessions. Clear water, warm sandy beaches are a nation's real treasure."

"For the rest of this century, the shoreline within reach of the major cities of this country just must be preserved and must be maintained primarily for the recreation of our people."

Lyndon B. Johnson: "Remarks at the Signing of a Bill Establishing the Assateague Island Seashore National Park," September 21, 1965

Attachment A

After participating in several meetings of the FWS Planning Team, and providing detailed comments on the issues that concern the Town of Chincoteague, we were hopeful that 4 good alternative concepts would be presented. Unfortunately, only one alternative has been developed in enough detail to allow full consideration. The following list is provided to clearly identify those elements of the draft CCP that we hope the FWS will work on in more detail with Town of Chincoteague representatives.

Strongly Oppose

- A. Oppose the current direction of refuge management that favors the use of alternative transportation systems and treats the idea as a Fundamental Value.
- B. Oppose NPS/FWS policies (or local manager's interpretation) that do not allow for beach and dune preservation and the protection of existing infrastructure from natural forces.
- C. Oppose the nomination or management of Toms Cove Hook and Assawoman Island as 'wilderness'. Both locations would be unlikely to meet the criteria necessary for designation and would unreasonably limit NASA and Town activities at Wallops Island and Chincoteague Island.
- D. Oppose new Federal regulation of commercial or recreational fishing, shellfishing, aquaculture and crabbing that would duplicate the permitting authority of State and other agencies already regulating these activities. Oppose NPS or FWS 'buy back' of existing commercial leases.
- E. Oppose any options that abandon the public trust and allow existing visitor use facilities and infrastructure, specifically recreational beach parking areas, to be subjected to natural coastal processes without maintenance, repair or replacement.
- F. Oppose the Marine Sanctuary concept that would further limit public access and use in favor of exclusive environmental research that could be conducted in the Southern Barrier Island unit of the Refuge where public access is already restricted.
- G. Oppose the use of 100 year estimates for potential Sea Level Rise to determine the Alternatives for a 15 year CCP.
- H. Oppose the purchase of land within the Town of Chincoteague for the purpose of expanding Refuge or Seashore boundaries, or to establish parking/transit facilities that would lead to a reduction of 1,000 spaces provided for recreational beach parking on the Refuge.
- I. Oppose the Plan Map for Alternate A (Existing Conditions) that shows Maddox Family Campground as an existing facility for the Refuge. It should only be shown if it is a part of a future plan.
- J. Oppose designation of Chincoteague Wild Ponies as a feral non-native species.

Support

- A. Support for the current adaptive management plan that has been successful for the last 20 years.
- B. Support for the description of a pony management plan that permits up to 150 ponies as contained in Alternative A. Request that same language would be repeated in Alternate B and C. Request that the reference to 'current population' be deleted from Alternatives B and C to eliminate an unintended constraint on the herd size if there is a reduction in any one year.
- C. Support for Recreational Horseback Riding to remain a permitted use. The proposed elimination of this use in all areas of the Refuge is not justified in any way and raises the question of whether the CVFC can even conduct their annual roundup for Pony Penning.
- D. Support for entrance fees to be allocated for necessary beach and parking lot repair and maintenance.
- E. Support for providing access to the USCG Station for interpretive use and educational programs.

Attachment A

- F. Support for an Emergency Post-Storm Response Plan for Access to the Beach that provides interim parking on the Refuge.

Actions Required for Further Review

- A. Request that the FWS cooperate with the Town of Chincoteague to complete a study by FEMA and USACE of the Tom's Cove shoreline. The study will determine the best means (including beach nourishment and/or 'land base replenishment') to continue recreational beach use at Toms Cove, and protect the public health and safety for residents of Chincoteague Island from the effects of natural hazards that are currently mitigated by the existing management of Assateague Island.
- B. Request for updated SLAMM model results based on LiDAR topography information.
- C. If FWS is the intended owner of a future campground facility in the Town of Chincoteague, please provide more information in the CCP alternatives to describe proposed management actions for the next 15 year planning period.
- D. Request for a Plan Map that shows the total limits of the CCP land area including Wallops Island NWR, the Southern Barrier Islands Unit and other areas identified for land acquisition within the next 15 years.
- E. Request that all Plan Maps illustrate an approximate location of the annual Pony Swim across Assateague Channel as an important cultural resource and activity for planning purposes.
- F. Request that the Plan Map for Alternate A illustrate the limits of the NPS 'Assigned Area' that is a part of the existing Interagency agreement.
- G. Request that the Plan Map for Alternate B illustrate the limits of the proposed NPS 'Assigned Area' for management of public recreation. Also, please illustrate the limits of the proposed Marine Sanctuary and Proposed Wilderness Area on the Plan Map.
- H. Request that the Plan Map for Alternate C designate the entire boundary of the Assateague Island National Seashore in Virginia as NPS 'Assigned Area' if it is the intent of this option to minimize Refuge administration. Identify limits of 1,300 acre area currently designated as Wilderness.
- I. Request that the Plan Map for Alternate D identify the limits of areas designated as Wilderness or Marine Sanctuary. Identify in the text what incompatible features and activities would be eliminated.
- J. Request that FWS provide a newsletter update to include major topics of comments and areas of agreement in order to assure the public that their concerns have been heard and will be included in the preparation of the draft EIS over the next year.