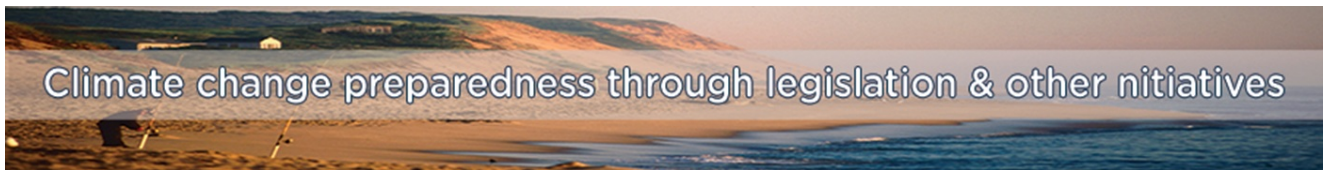


2014 Spring Newsletter (Click images to read articles)

apcc.org/newsletters/Archives/2014/2014-spring.html

Working to preserve, protect and enhance the natural resources of Cape Cod.



Massachusetts, along with the rest of the northeast, is predicted to be one of the geographic areas with the greatest increase in sea level rise. As a coastal area surrounded on all sides by water, Cape Cod is particularly vulnerable to sea level rise impacts. The northeast region is also expected to experience rising temperatures and an increase in the number of severe storms.

As part of our efforts to address climate change-related issues, APCC has joined a newly-formed coalition created in support of legislation that would require the state to adopt a climate change preparedness plan. Known as the Comprehensive Adaptation Management Plan, or CAMP, the bill was filed in January by state Senator Marc Pacheco (D-Taunton) and co-sponsored by other legislators, including Senator Daniel Wolf of the Cape and Islands.

CAMP directs the state's Executive Office of Energy and Environmental Affairs and the Executive Office of Public Safety and Security to develop and implement a climate change preparedness plan for all state agencies to adopt in the execution of their respective programs.

Among other things, the climate change preparedness plan would spell out how the state will:

- Protect against threats to the state's built and natural environments
- Adopt management practices to preserve natural, social, cultural, historic and economic characteristics
- Promote sustainable, smart development away from high-risk areas
- Integrate scientific monitoring to stay current on evolving scientific data
- Conserve and manage natural habitat in response to climate change
- Protect and restore resilient natural areas and "green infrastructure"
- Identify common goals for adaptation planning and reducing greenhouse gasses

- Protect and strengthen critical infrastructure, including utilities
- Reduce vulnerability of the built environment
- Update construction standards to account for climate change
- Ensure availability of emergency supplies
- Ensure communication and resources for emergency personnel
- Ensure information flow to key decision-makers
- Reduce costs for disaster response and recovery
- Minimize climate change-related economic losses
- Coordinate all levels of government
- Sustain quality of life
- Encourage public participation in decision-making

The legislation would also establish a voluntary program for the state to purchase coastal properties that are subject to repeated damage from flooding and severe weather. The properties would be used for conservation and recreational uses.

Participation in the climate change adaptation coalition is the latest initiative undertaken by APCC in response to threats to the Cape from climate change-related impacts.

Within the past year, APCC also launched two studies to better understand how the Cape will respond to sea level rise:



The Cape Cod Commission is under siege. Orchestrated by a vocal minority of anti-government “develop anything, anywhere, anytime” interests, petition articles are appearing on various town meeting warrants to secede from the Cape Cod Commission.

Following passage of the Cape Cod Commission Act by the state legislature in 1989, a majority of people in each of the Cape’s 15 towns voted the following year to protect our fragile environment by creating the Cape Cod Commission. In the words of a December 3, 1989 Boston Globe editorial, “A strong regional planning commission may indeed make it a bit more difficult to build on Cape Cod. But it will also preserve the unique quality of the Cape’s environment—and by so doing, protect and enhance the value of present and future development there.”

People across Cape Cod saw the threat from the “develop anything, anywhere, anytime” interests of the 1970s and 1980s and made the farsighted choice to safeguard our environment and unique character.

In an ironic twist, the recent anti-Commission fervor erupted just as the Commission, through an enormous outreach initiative that has included stakeholder and citizen participation, identified a potential \$2 billion in savings to manage our wastewater crisis, compared to earlier engineering estimates. Our current wastewater predicament was largely created by the last big wave of “develop anything, anywhere, anytime” before the establishment of the Commission—a time when developers were essentially given a free pass in dealing with nutrient pollution.

APCC was founded to preserve and protect the Cape’s unique natural resources, our villages and our sense of place. For over 45 years, APCC has striven to preserve these qualities. We are not always successful, but imagine the Cape if we allowed the “develop anything, anywhere, anytime” philosophy to prevail. APCC and the Cape Cod Commission do not always agree, and on some issues we will likely never agree—APCC does not support some of the cash payments the Commission allows developers to use as mitigation for certain development impacts, for example. But adoption of the Cape Cod Commission Act was a turning point for our region, and the Cape has by far been the better for it.

The outcome of this siege against the Commission is now in your hands. It is time, once again, to tell the “develop anything, anywhere, anytime” crowd that we do not want a Cape Cod that has ever-increasing traffic woes, more pollution that degrades our water quality, unchecked destruction of habitat areas and further erosion of traditional village identity. Please attend your town meeting, or contact your town meeting representatives (Falmouth) or town councilors (Barnstable), and speak loudly/vote in support of the Cape Cod Commission. This is definitely an issue where your voice and your vote are needed.



APCC is pleased to report some very welcome news from the Massachusetts Supreme Judicial Court, which last month ruled against a lawsuit challenging the state’s use of Priority Habitat designation to protect endangered species.

In a unanimous decision, the SJC found the Massachusetts Fisheries and Wildlife Division has authority under the Massachusetts Endangered Species Act (MESA) to review proposed projects using Priority Habitat designation to screen for threats to endangered species. Using this system, Fisheries and Wildlife guides the planning of projects so as not to impact rare species.

The lawsuit was the result of a case involving a landowner in western Massachusetts who wanted to build a residence in state-listed eastern box turtle habitat. The landowner was not prohibited from building the residence, but as a condition of approval was required to

permanently protect a portion of the property.

This same case spawned a series of bills in the state legislature that would essentially dismantle MESA and leave endangered species unprotected. APCC has voiced strong opposition to these harmful bills.

Instead, APCC supports passage of House Bill 756, which improves MESA and ensures continued protections for endangered species.



Last month, APCC submitted comments to the Massachusetts State Pesticide Bureau concerning NStar's proposed 2014 Yearly Operational Plan (YOP) for Cape Cod.

In the YOP, NStar states its intention to resume herbicide spraying as part of its integrated vegetation management plan. The towns of Barnstable, Bourne, Chatham, Dennis, Falmouth, Harwich, Sandwich, Truro, Yarmouth and Wellfleet are targeted for 2014.

In the past, APCC has called for a reduction in the use of herbicides and other pesticides by all Cape Cod residents and businesses. APCC supports alternative methods of control whenever possible that do not pose a potential threat to the environment or human health.

In comments on the NStar YOP, APCC pointed to specific concerns about NStar's plan, including the use of herbicides in close proximity to wetlands, "inert" ingredients in herbicide products that are not listed on the label and which have an unknown effect on the environment, the lack of adequate monitoring to ensure no contaminants reach groundwater, and a perceived unwillingness by NStar to work with communities on viable alternatives to herbicide spraying.

[Read APCC's comments.](#)



APCC recently submitted a letter to the Massachusetts Office of Coastal Zone Management (CZM) supporting a proposed No Discharge Area (NDA) designation for the remaining coastal waters in Massachusetts not already under such a designation. An NDA designation prohibits the discharge of treated and untreated boat sewage within the designated waters.

In February, CZM announced its intent to close the three remaining gaps in NDA coverage and to consolidate all existing NDAs into a single one. The gaps include two narrow corridors between Cape Cod and the Islands, and a larger area off Marshfield. The U.S. Environmental Protection Agency may approve the designation as early as this summer.

APCC has worked actively with partners to successfully support NDA designation for Cape Cod Bay, the Outer Cape, Pleasant Bay and the South Cape Cod and Islands area that includes Nantucket Sound and Vineyard Sound. [Learn more...](#)



Arbor Day is a national celebration to encourage the planting and nurturing of trees. Join APCC in celebrating Arbor Day this April 25 by planting a tree to increase habitat, improve air quality and enhance the beauty of your yard. **Click to expand.**

There are many great reasons to plant a tree. Besides being aesthetically pleasing, trees provide numerous benefits to humans and the environment, such as:

- Increasing oxygen production
- Increasing shade, which decreases temperature
- Reducing lawn
- Reducing fertilizer and pesticide applications
- Increasing habitat for wildlife
- Providing food for wildlife
- Increasing carbon sequestration
- Improving air quality
- Conserving energy – three trees placed strategically around a single home can reduce summer air conditioning costs by up to 50 percent (www.treepeople.org)
- Cooling streets
- Saving water – shade from trees slows water evaporation from lawns, and as trees transpire, they increase atmospheric moisture
- Preventing water pollution
- Preventing soil erosion

In preparation for Arbor Day, APCC has generated a [list of trees](#) that are native to Cape Cod, which provides a guideline for trees that grow well on the Cape.

To help decide which tree to choose and where to plant it, the USDA Forest Service program i-Tree Design (www.itreetools.org) is a handy tool. It models tree plantings around structures to maximize energy saving benefits.

APCC intern explores natural communities in winter

Most APCC interns conduct their work during the summer months, but this year, APCC had the rare privilege of hosting an intern during January and February.

Matthew Charpentier is a senior at the Massachusetts Maritime Academy, majoring in environmental studies. He is interested in pursuing graduate studies in botany and was referred to APCC due to our work updating the Cape Cod Critical Habitats Atlas and mapping natural communities.

Matt conducted reconnaissance surveys to identify natural communities in the upper Cape, focusing on Bourne and Falmouth. Natural communities Matt identified include Atlantic white cedar swamps, beech forest, red maple swamp, level bogs and highbush blueberry thickets.

Winter does allow for easier identification and access to some natural communities that would otherwise be hidden by deciduous growth. This winter was particularly harsh, however, so Matt is to be congratulated for conducting his field work during this season.



Earlier this summer, a legal appeal challenging the decision by the Cape Cod Commission to deny a proposed Lowe's Home Improvement Store in South Dennis was dismissed. The appeal was filed by Lowe's in Land Court shortly after the project was denied by the Commission in January. The decision to dismiss the case was agreed to by both Lowe's and the Commission, formally ending any challenge to the Commission's denial of the project.

APCC was actively involved in the comprehensive review of the Lowe's project proposal, testifying at numerous Cape Cod Commission hearings and submitting detailed position statements regarding the potential for significant adverse impacts to traffic, water resources and regional character if the Lowe's were built.

APCC also encouraged our members to take part in the review process, and many across the Cape responded by writing letters and attending the multiple hearings that were held. The large number of individuals who expressed concern to the Commission no doubt contributed to the decision to deny the project.

We are grateful to our members for their participation, and for their continued commitment to the protection of the unique natural resources and character of Cape Cod.



It is with great sadness and fond remembrance that APCC reports the death of former APCC president, Robert Neese, who passed away on January 18, 2014 after a battle with Parkinson's disease.

Bob was elected to the board of directors in 1997 and served as president from 1998 to 2002, but remained devoted to APCC and its mission long after his official tenure on the board concluded, faithfully attending annual meetings and other APCC-sponsored events.

In addition to his involvement with APCC, Bob expressed his love of Cape Cod through his leadership on the boards of numerous organizations, as an active member of his church and by serving in local government in the town of Harwich, where he and his wife lived and raised their children. Up until his retirement, Bob was chief operations officer for Cape Cod Bank & Trust.

"I had the privilege of serving on the APCC board with Bob," said APCC executive director, Ed DeWitt. "He loved the Cape and especially the Cape's natural beauty. He had the most disarming smile that he eloquently used to win the environmental battles of the day. We all benefited from Bob's commitment to and love of the Cape."