

Beach Management Plan Working Group  
Session 4 – December 22, 2022  
Public Questions

**Question 1:** Could productivity challenges be due to the Chappy Trustees managed beaches not being suitable habitat for Plovers anymore? Isn't that what the data is showing? Thank you.

**Answer 1:** The habitat is still suitable and the birds are selecting the habitat as a result. The data is telling us more pairs are selecting the beaches but productivity is low. Nest predation is a primary limiting factor followed by chick survival. These beaches are also part of a very healthy coastal ecosystem that is acknowledged by the DCPC designation.

**Question 2:** Why are Oystercatchers on the TTOR bird stats for what they are trying to protect, when they did not appear on any of the Mass Fish and Wildlife lists for either Federal or State species of concern? I would like to understand how TTOR determines which species (bird or otherwise) to make efforts to protect if they are not following the State/Federal lists.

**Answer 2:** As stewards of natural resources, all wildlife is of concern for The Trustees. Species that are in decline or rare are management priorities regardless of official state or federal designations. American oystercatchers are a Species of Greatest Conservation Need and have recently recolonized Massachusetts after being extirpated. They occupy the same habitat as the other “protected” species and oystercatchers have a much lower state population than the terns or plovers and this population is not growing. These showy and iconic birds are enjoyed by many visitors and they look forward to seeing them.

**Question 3:** Do the Trustees regularly apply to the Mass Fish and Wildlife to be allocated some of the allowed Plover takes? If not can they commit to doing so for their MVY properties where it is applicable.

**Answer 3:** The Trustees has a Certificate of Inclusion for the Piping Plover Habitat Conservation Plan (HCP) for Cape Poge Wildlife Refuge, Leland Beach, Wasque and Norton Point. Our Certificate of Inclusion enables piping plover “takings” in order to allow OSV access when there are chicks located in key entrance locations. The Trustees utilized this permit in the summer of 2022 at Norton Point Beach. We are in the process of renewing our Certificate of Inclusion for Wasque, Leland Beach, and Cape Poge Wildlife Refuge. You can find more information on our Certificate of Inclusion for the HCP [here](#).

**Question 4:** How many permits/takes has the Trustees submitted for in the last several years? -- Follow up to Darci's response to take permit question - were any of those on chappy beaches or is she referring to takes at Norton's or other MV locations?

**Answer 4:** The Trustees Certificate of Inclusion (COI) permit for the Piping Plover HCP includes up to 2 piping plover takes annually (i.e., pair/brood exposure to disturbance) and we have been participating

since 2016 . We have utilized our COI permit on both Cape Poge Wildlife Refuge and Norton Point Beach. In summer of 2022, we implemented our COI permit to for OSV access at Norton Point Beach which provided the maximum public benefit to our visitors.

**Question 5:** Given that The Trustees will not be managing Norton Point this summer, will the Town of Edgartown have the opportunity to use an HCP or is that not available because the December application deadline has passed.

**Answer 5:** The Trustees will not be the manager of Norton Point in the 2023 shorebird season. According to our inquiries with Massachusetts Wildlife Natural Heritage and Endangered Species Program, The Trustees 2023 application for a new COI HCP permit cannot be transferred to the new manager of Norton Point Beach.

**Question 6:** Literature reviews are absolutely no replacement for local data. Any reasonable policy must take BOTH into account.

**Answer 6:** We value and utilize both local and scientific data to guide and inform management decisions.

**Question 7:** How many hours has Darci spent on the Chappy beaches since starting her role?

**Answer 7:** Darci is on the Chappaquiddick beaches at least once a week for several hours during the off-season and several days a week during the summer season. Darci values the opportunity to meet and engage with visitors, support staff on the ground, and evaluate conditions of the beaches. Spending time on all The Trustees exceptional places is a high priority and she would love to be on the properties more often.

**Question 8:** If the public is non-compliant with dog leashes, does the Trustees even have an option to allow dogs on the beach? It seems from the regulator perspective they won't even approve a BMP because of historical non-compliance.

**Answer 8:** Leash regulation non-compliance could lead to the state not issuing a Certificate of Inclusion for the Piping Plover HCP permit AND not approving a beach management plan - thereby inhibiting our ability to provide OSV access to the beaches, particularly during the shorebird season. The 1993 Guidelines for managing recreational use of beaches for protecting piping plover, terns, and their habitats in Massachusetts clearly state that if leashing is not complied with, dogs should be seasonally prohibited.