

NATURAL RESOURCES SUBCOMMITTEE Summary of DRAFT Ideas/Options for Cape Point

GOAL

- Protect natural resources and maintain access to Cape Point, to the greatest extent possible, year-round.

CAVEAT

- This proposal reflects ideas for discussion purposes only that are based on the specific shoreline configuration and nesting history for Cape Point. This draft does not set a precedent for management measures or techniques that would necessarily be transferable to other locations.

DEFINITION OF AREAS

- Cape Point is defined as ocean beach from Ramp 44 to Salt Pond Road.
 - South Beach is defined as ocean beach from Salt Pond Road to Ramp 49.
- (Note: This conforms to the distinction between Cape Point and South Beach used by NPS in all past recordkeeping of nest locations.)*

OPTIONS AND IDEAS

Pre-Nesting Closures

- Follow the configuration of the 2008 pre-nesting closures for Cape Point and South Beach, except increase the width of the Cape Point access corridor (on the east facing beach) to 100 m or up to 10 m from the toe of the dune, whichever is less, from Ramp 44 south to the Point. This would expand the initial width of the Cape Point access corridor and reduce the likelihood of subsequent full closure of the access corridor due to CWBs as the breeding season progresses.

Buffer Distances during Pre-Nesting

- Provide recommended buffer distances (currently 50 m) for observed piping plover breeding behavior and related foraging and nesting at all locations.
- Provide recommended buffer distances (TBD) for observed AMOY and CWB breeding behavior and related foraging and nesting at all locations, except:
 - Provide reduced buffer distances (TBD) along the Cape Point access corridor from Ramp 44 to Cape Point for observed non-listed species breeding or prenesting behavior up until scrapes/nests are on the ground. Some impacts are allowable under the NPS non-impairment rule. If AMOY or CWB nests are established or chicks are present, follow recommended buffers (TBD), except as described in following sections.

Active Management Tools to Encourage CWB Nesting Away from Access Corridor

- Explore opportunities to enhance CWB nesting habitat at a sufficient distance away from the Cape Point access corridor.

- Conduct annual habitat assessment of Cape Point interior (i.e., west of the access corridor) to determine best available site for targeted CWB nesting habitat enhancement prior to the breeding season, which may include:
 - Improvement of CWB nesting substrate (shell, cobble, etc.), if feasible.
 - Use of CWB decoys to help establish colony at targeted site away from access corridor. CWB decoys have been successfully used elsewhere for common and least terns and black skimmers.
 - Use of avian predator decoys (e.g., owls, gulls, or crows) outside of resource closure near edge of Cape Point access corridor.
- If CWB nests or chicks occur within less than the recommended buffer distance (TBD) from the Cape Point access corridor, use temporary “chick fencing” and/or temporary barriers for some CWB species (e.g., least terns) to reduce chances of nest disturbance or chicks being harmed. Chick fencing would only be used when no unfledged piping plover or AMOY chicks are present within a prescribed distance (TBD). Fencing would only be installed at a prescribed minimum distance (TBD) or more above the high tide line in order to minimize the risk of conflict between the fencing and nesting sea turtles. Chick fencing has successfully been used elsewhere in the United States (e.g., California least terns).
- Develop adaptive management objectives and conduct monitoring/research to determine effects of habitat enhancement and chick fencing measures described above. After analysis, modify measures if needed, to meet objectives and improve results.

Vegetation Management in Select Areas

- NPS could conduct hand treatment or disking of vegetation in selective areas where vegetation is beginning to encroach on nesting habitat.
- During non-breeding season, selected interior areas of Cape Point could be opened to vehicle traffic from X to Y date (one suggestion is 16 November to 14 March). If traffic is sufficiently concentrated in an area or along a route, such action could help reduce vegetation density and possibly make the interior areas of Cape Point more attractive to nesting birds. Some areas may not be included in this winter opening because they are suitable as foraging, resting, and roosting habitat for non-breeding shorebirds, such as ephemeral pools/ponds, all moist soil habitats, and a buffer around such habitats.
- Vegetation should be removed from areas only if the area selected will not be likely to close access because of some buffer.

Access When Piping Plover (PIPL) Chicks on the Ground near Access Corridor

- Provide recommended pedestrian and ORV buffers (currently 300m and 1000 m) for piping plover chicks for two weeks after chicks have hatched. After two weeks, during daylight hours pedestrian and/or ORV access to the Point could be allowed with a reduced buffer distance (suggestion is 100 m for pedestrians and 300 m for ORVs) as long as NPS provides sufficient on-site monitoring of chicks. The level of on-site monitoring is dependent upon the total number of resources management staff

available and the number of piping plover broods on the ground at any one time.

- Prohibit pets in Cape Point access corridor during breeding season.

Access When Non-listed Species' Chicks on the Ground near Access Corridor

- Maintain recommended ORV buffer for AMOY and CWB chicks (currently 200 m) unless chick fencing is in use for CWB and no AMOY chicks are present within 200 m. Without fencing, during daylight hours pedestrian access to the Point could be allowed with a reduced buffer distance (70-100 m suggested), as long as NPS provides sufficient on-site monitoring of chicks. The level of on-site monitoring is dependent upon the total number of resources management staff available and the number of piping plover broods on the ground at any one time.

- Prohibit pets in Cape Point access corridor during breeding season.

Areas Non-Accessible to Birds during Nesting and Unfledged Chicks

- Vehicles may be allowed to pass through portions of the protected area where the protected area is considered by NPS natural resource management staff to be inaccessible to chicks because of steep topography, dense vegetation, other naturally occurring obstacles, or pre-existing manmade obstacles. The ocean beach would not likely be included in this exception due to typical, wide-ranging PIPL chick behavior.

Interdunal Road

- The interdunal road should be maintained and open for two-way traffic.

Management of Bird Disturbances

- Within the ORV corridor and any pedestrian access areas, establish clear rules and violations for such possible bird disturbances as pets, kites, loud noises, large objects attached to vehicles (i.e., banners, flags, etc.), and so forth.

ADAPTIVE MANAGEMENT

- The Committee needs to better understand adaptive management and its practical application in the Park via dialogue with an expert acceptable to all.
- The Committee and/or a subcommittee could develop a specific set of adaptive management questions to answer over the coming years, which in turn, would require NPS to develop appropriate technical/scientific protocols for testing, monitoring, analyzing, and learning from data.

ADDITIONAL OPTIONS FOR ACCESSIBILITY

- The parking area at Ramp 45 should be open during duck hunting season.
- Develop a pedestrian access route to the dredge pond with suitable nearby parking should be developed for bird watching enthusiasts.
- Develop more parking Ramp 43 and toilets in an appropriate site nearby. (*The Ramp 43 parking area is subject to overwash and flooding and may not be an appropriate site for toilets.*)
- Increase the width of pavement in the approach to Ramp 44 for airing down.
- Improve the design/construction of Ramp 44 (west of the dune crossing) to increase usability and reliability of the access route during wet or flooded conditions.

VIOLATIONS

- Penalties for violations should be “neutral” regardless of the interest of the person(s) violating enclosures on foot, vehicle, or other means.
- Options include:
 - Better education through some kind of pass/permit system
 - Ion resource closure signs include clear notice of penalties for violations
 - Higher dollar fines for violations (*is a decision of the Court*).
 - Expanding buffers when repeated violations occur
 - Expanding buffers when a single violation occurs

AREAS FOR FURTHER CLARIFICATION

- What are the specific requirements under the Piping Plover Recovery Plan for unfledged chick buffers, weeks after chicks on the ground, and so forth.

TURTLES

- Establish work group within Subcommittee, including _____ (names), to help prepare for sea turtle and light management discussions at October Committee meeting.

ISSUES STILL IN DISCUSSION

- Date of establishing pre-nesting closures (March 15 or later)
- Use of South Beach
- Buffer distances

OTHER

- After subcommittee review, vet proposal with resource experts (e.g., Erwin, Hecht and Simons) for feedback and fine tuning