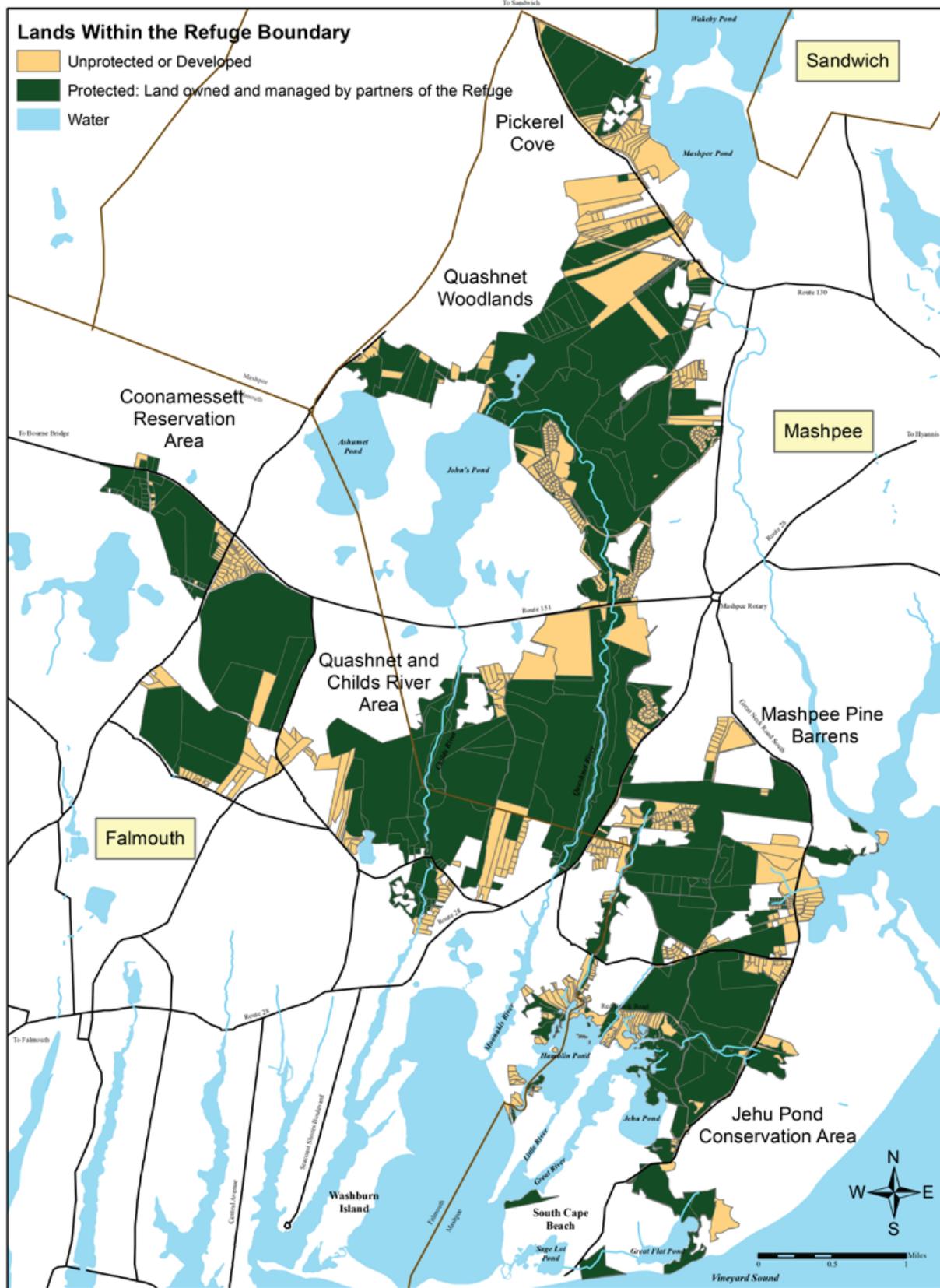


HOW WE GOT HERE:

*The History of the*  
Mashpee National Wildlife Refuge

*By the Friends of the Mashpee National Wildlife Refuge*

# Mashpee National Wildlife Refuge



*The Mashpee National Wildlife Refuge encompasses nearly 6,000 acres that protects important natural areas and a great diversity of wildlife habitat. Established in 1995, this unique refuge is owned by federal, state, town, and private conservation groups who share a common goal of conserving nature for the continued benefit of wildlife and people.*

## PREFACE

National Wildlife Refuges are valuable assets in a variety of ways. They provide a window into past cultures and untouched landscapes while preserving these resources well into the future, furthering the continuum. Refuges sustain necessary wildlife habitats and resources critical in their seasonal needs for foraging, raising young, and avoiding predators to live yet another day. These preserved landscapes purify water and air providing yet another valuable service. Likewise, for humans, refuges offer solitude in our daily lives and, as the name implies, are a great place to view wildlife too.

I grew up in Minnesota, where we often headed to a local refuge in the spring to witness one of the most spectacular events in the world: the annual bird migration along the Mississippi flyway. Thousands of waterfowl such as snow geese, trumpeter swans and white pelicans, along with sandhill cranes, are passing through as they head to Canada or the Arctic. If you're lucky in your timing, you might get to experience their frenzied, colorful activities, the calling and splashing of hundreds of thousands of waterfowl, or when suddenly they take to the wing: a flash of color, the beating of wings. This intensity of sound is so great it vibrates right through your body. Impressive. As unexpectedly as the event happens, the landscape empties, and it's so quiet you could hear your heart beating. The solitude embraces you completely. Where else on earth can you experience this? A wildlife refuge. Can you tell, I love wildlife refuges!

So, naturally, when I moved to Massachusetts, I sought out its refuges. There are 11 refuges in total, with four on the Cape and Islands, including one very special refuge, the Mashpee National Wildlife Refuge (MNWR), right in my backyard. This unique refuge represents a long and varied human history with thousands of years of occupancy, from Native Americans to 400 years of post-colonization presence. It represents a complex political makeup. Nature doesn't function under arbitrarily imposed human boundaries, so managing these areas as a whole is key in maintaining wildlife populations, sustaining viable habitats, and providing valuable services. And what a unique refuge Mashpee NWR is!

- Located in the towns of Mashpee and Falmouth, with 6000 acres, it is the Cape's second largest open, accessible conservation land, behind only the National Seashore.

- It was named after the Mashpee Wampanoag Tribe, "the people of the first light."

- It is unique within the National Wildlife Refuge System in that it is the ONLY refuge that is managed cooperatively by eight conservation landowners and the Friends organization: a consortium of federal, state, tribal, private, & nonprofit. It's the model for future refuges.

- As far as refuges go, it has an extraordinarily diverse landscape within its boundaries, ranging from the salty oceans to freshwater rivers, wetlands and ponds, upland meadows, forests, and supports two globally rare ecosystems: Atlantic white cedar swamps and pine barrens. It has got it all.

Understanding the history tied to a special place helps increase your understanding of the struggles, passions, and issues felt by those folks involved at that time, ultimately heightening your appreciation. This refuge's unique history emerged at its 20th anniversary celebration as key partners, including some of those responsible for creating the refuge shared their stories both funny and telling. And it also became evident that the loss of certain prominent individuals who had passed away meant their unique stories were fading, too. Recording how these stories, people, and events came together to make this refuge a reality took on some urgency. Thus, the idea to forever capture, summarize, and share these great stories was launched.

So, given these basic facts on the refuge's significance and its value to our community, let's begin this story. It's truly is a magical mix of the right people in the right place at the right time.

*MaryKay Fox*

*Friends of Mashpee National Wildlife Refuge, Inc.*



## THE SETTING:

*Where and when the land is made*

Our story, the story of the Mashpee National Wildlife Refuge, is one of people and organizations collaborating for a common cause. In this case, it is people with a concern for the environment and its future who defied expectations and created a unique, new organization to protect land from development and ensure its continued benefit for wildlife. It is the story of the right group of people emerging at the right time, in the right place for their righteous cause.

In this story, we travel from the origins of this precious land through its long seclusion to its manic development, a time of threats to the very character of the place. We find a core group of dedicated people who saw a problem and worked to create a solution without precedent. Never before had another of the more than 500 national wildlife refuges involved a memorandum with so many different partners—eight in total from different organizations and levels of government—each agreeing to preserve land within the newly established refuge boundary. We travel with our core group to a rainy day on a bluff overlooking Waquoit Bay, where they were joined by more than 200 others for a one-hour ceremony celebrating the realization of a two-year dream. We find more hard work after that first celebration. And at the end we find ourselves on the path to today, a time when their victory, their hard work, their common cause has become a defining feature of Mashpee and eastern Falmouth.

But before the people and the threats from development, in the beginning, there was the land and the water. This story is about land, water, and people. And ice, too, because it was ice that made Cape Cod. Or ice melting, really. And that's where we begin, with what the glaciers did.

Deep underneath our feet here in Mashpee, 300 to 500 feet below the surface, sits bedrock of a totally different geologic origin, less sandy and beachy, instead similar to what is found near the surface to the north and west of the Cape, as described by geologist Robert N. Oldale in his seminal book on the formation of the region, "Cape Cod, Martha's Vineyard, and Nantucket: The Geologic Story," and explained in the Town of Mashpee's Open Space Conservation and Recreation

Plan. This is old, hard rock, granite and schist. Between that deep bedrock and our feet is the Mashpee Pitted Outwash Plain, sand and gravel hundreds of feet deep for which we have to thank the last glaciation of New England—the great glaciers of what is known as the Laurentide ice sheet—which reached the islands south of the Cape and passed no farther. As the world gradually warmed and emerged out of that last ice age, the glaciers here, once thousands of feet thick, melted and shrank. And as the glaciers receded across our region about 18,000 years ago, they paused long enough to leave behind material that the massive mountains of ice had picked up and ground to pieces as they moved forward thousands of years before. Cape Cod is, in no small part, what the glaciers left behind.

Outwash plains like what is found in Mashpee and Falmouth are generally broad, low, flat land surfaces formed by the meltwater from receding glaciers, typically sloping gently toward the sea. Here the Mashpee plain slopes southward, toward small streams, ponds, bays and eventually Nantucket and Vineyard sounds along the south shore. In width, the plain reaches from central Falmouth across Mashpee to western Barnstable. Mashpee is a "pitted" outwash plain: pocked by kettle holes, or depressions caused by large chunks of ice left behind as the glacier retreated that often form ponds or wetlands like cedar swamps and freshwater marshes. Think of Mashpee and Wakeby and Johns and Ashumet ponds, all classic kettle holes.

When the glaciers were first retreating across the Cape and Islands, sea level was several hundred feet lower than it is today because much of the world's water remained frozen in the still giant glaciers. As a result, what we know as the coast today was not the coast at all, and many of the kettle holes that would later become ponds likely would have been dry. Yet as the glaciers melted and sea level rose, freshwater also became more a part of the Cape's landscape. Freshwater is lighter and thus floats on top of saltwater, so as sea level rose and saltwater pushed in around and under the Cape, rain water would drain through the region's porous soil and end up sitting on top. Under the surface of Mashpee and much of Cape Cod today are giant pools of groundwater, known as aquifers, with freshwater on top and saltwater below. This is the source of Mashpee's and much of the Cape's drinking water. It is a resource beyond value both to residents and the ecology of the region.

All of which is to say that in Mashpee and eastern

Falmouth, on this land so worthy of conservation and protection, we live on a huge pile of sand and water deposited and created by melting glaciers. Of course, this geologic history in turn affected the ecology of our region: the plants and animals that populate our landscape, on the land and in the water. As the glaciers melted, in moved plant and animal species that had retreated south during the ice age. Then, between 11,000 and 8,000 years ago, in moved Native Americans, ancestors of the Wampanoags who to this day call this place home.



## THE FIRST PEOPLE:

*In which development is delayed and then takes off*

The Wampanoag are the first recorded residents in what are now called Mashpee and Falmouth and across much of what are now known as Cape Cod and southeastern Massachusetts. At this early time they were a semi-sedentary culture, moving between sites on the coast and inland at different times of year and as conditions required. The post-glacial, resurgent landscape and newly rising seas would provide abundant food and resources to the early Native Americans. To say that the region's earliest inhabitants "lived off the land" is imprecise. The tribe depended on the plants, fish, shellfish, birds, and mammals that the fields, forests, ponds, bays, and rivers provided. They lived off the land and the water alike. These resources seem at once wonderfully idyllic and yet still familiar to contemporary residents who spend time outdoors: oysters from Popponeset and Waquoit bays; herring running up the Mashpee River and many other local streams in April; hay from the salt marshes through the summer; corn, beans, and squash in late summer; berries in the fall; trout from frozen ponds, geese on still flowing streams, and deer from the forest in the winter.

The Wampanoag, known as "the People of the First Light," lived in the region for thousands of years before contact with European colonists. Prior to a plague brought by European explorers that some estimates suggest killed as much as two-thirds of the population in the early 17th century, the Wampanoag population from Bristol, Rhode Island up to the south shore, including the Cape and Islands, is believed to have numbered in the tens of thousands.

When the Pilgrims sailed for what they saw as

the New World, they met the Wampanoag here in southeastern Massachusetts. The colonists and the natives first managed to find peace, but as competition for land and resources mounted, the natives eventually pushed back. King Phillip's War, one of the bloodiest conflicts per capita in American history, ended in 1676 with the death of thousands of Native Americans, both Wampanoag and Narragansett, and the destruction of much of the Wampanoag nation. However, the Wampanoag persisted. Here in Mashpee, in Aquinnah on Martha's Vineyard, and in smaller settlements around the region, Wampanoag who had staked neutral positions in the war, often a result of their conversion to Christianity, remained with populations each in the hundreds. The Wampanoag have in fact endured to this day—more than 400 years after Bartholomew Gosnold is credited with first exploring and naming Cape Cod for the British crown—and now include the federally recognized Mashpee Wampanoag Tribe and Wampanoag Tribe of Aquinnah. The Mashpee Wampanoag Tribe is in fact among the groups central to the establishment of the Mashpee National Wildlife Refuge.

With protection resulting from their openness to Christianity, the Wampanoag in Mashpee established a community that not only would determine their survival in King Phillip's War but would guide the development of Mashpee over the next several hundred years. The tribe struck a relationship with a white preacher from Sandwich named Richard Bourne, who recorded a series of land deeds in the 1660s granting about 16 square miles of what is now Mashpee to the people known at the time as the South Sea Indians. By these deeds Mashpee was to remain in the hands of its first residents, owned collectively and without sales to outsiders. So, as Plymouth colony was incorporating towns around the region, including Sandwich (1639), Barnstable (1639), Falmouth (1686), and Yarmouth (1639), and creating new settlements, Mashpee remained distinct.

Mashpee was effectively set aside for the Indians and left out of the development patterns that took place in the rest of the colony. Beyond the law, no deep water port allowed for large-scale commercial exploitation of the bountiful natural resources of the area, and later on, no railroad line served to connect Mashpee with land and people beyond. There was trade and cooperation with immediate neighbors, as well as occasional disagreement over timber and other resources. There was regular correspondence and a

sometimes fraught relationships with the colonial and then state governments. There were whalers who traveled the world and returned with fortunes, and there was proselytism from whites and other Native Americans that affected the Christian faith among tribe members. Yet, while the United States formed and the world changed, Mashpee continued to remain distinct. This was not a "reservation" in the modern, legal sense, but it was in a significant sense a complete refuge unto itself.

This distinction remained in place until the mid-1800s, more than 200 years after the founding of neighboring towns, when two major changes began a transformation in Mashpee. In 1843 Mashpee, as it was then known, changed from what was called a plantation to what became called an Indian district, a shift that allotted property to individual residents though it retained the restriction on sales to those outside the tribe. Collective ownership was out, and a move to private ownership was in. While individual Native Americans owned their own land, district status still protected the tribe from incursion of settlers moving into towns through Massachusetts and New England. It was a short-lived reprieve, though. In 1870, following a series of controversial local meetings and without clear support from a majority of Mashpee residents, the state legislature incorporated the Town of Mashpee. Mashpee was now a town legally just like those around it. With this change, the individual property owners in Mashpee could now sell their property to non-tribe members. According to a wildlife refuge application document written by Mashpee Town Planner F. Thomas Fudala, "Thousands of acres, including most of the town's valuable cranberry lands and much prime oceanfront property, were sold to whites within ten years. The next land boom was on." With Mashpee's new town status, property could also be foreclosed and sold at auction for non-payment of taxes. Due to the low cash incomes of tribe members at the time, this was a common occurrence. Over the following century, most of the land in Mashpee changed ownership from tribe member to outsider.

Yet while land ownership status changed relatively quickly, practical use of that land did not. Wealthy non-tribe members such as John W. Farley and Abbott Lawrence Lowell bought large tracts of land, and some property in Mashpee began to be used for vacation homes. But development of any significant scale did not begin until the 1950s, when the booming post-

World War II economy created enough wealth among enough people that a genuine seasonal home market began. Until the 1950s, the population in Mashpee had remained stable at about 300-400 residents, nearly all Native Americans. But better roads and vehicles allowed easier access to Falmouth, Mashpee, and the rest of the Cape. Falmouth and Barnstable emerged as population centers, with Mashpee proximate to both. Retirees and young families of workers from Hyannis and Falmouth started moving into Mashpee. The Kennedys created a sense of prestige for the Cape. Change was coming to the Cape as a whole and in radical form to Mashpee.

The US census recorded a population of just 438 people in Mashpee in 1950. By 1960, the population had grown to 867, nearly doubled in a decade but still miniscule by today's standards. By 1970, it was 1,288, nearly three times as large as it was just two decades prior. While land and resources remained plentiful, the population growth led to a profound change for the town's original inhabitants, the Wampanoag. Much of the new growth was among non-natives, so for the first time, the Wampanoag were no longer the majority in town. Politically, this was a shift of importance beyond description. The tribe had now lost not only ownership of the land but control of the town government. Land that tribe members had for generations accessed for hunting and fishing was now being declared off limits. Momentum was now squarely on the side of development, from a sparsely populated rural Indian town toward one with a more suburban feel.

In response, in 1974 the natives registered a clearly separate governmental entity, the nonprofit Mashpee Wampanoag Indian Tribal Council, Inc. Two years later, in an attempt to stop development and reclaim traditional lands, the tribal council filed a landmark lawsuit in federal court. The suit was based on the changes, some hundred years earlier, in which the state government divided the Indian district among individual property owners and then incorporated the Town of Mashpee. Supporting the lawsuit was a 1790 federal law that forbade the selling of Indian lands without the approval of the federal government, approval that was not obtained for the steps to create the Town of Mashpee. Development and real estate transactions of all sorts were effectively brought to a halt during the land suit. Tensions grew between tribe members and others in Mashpee. However, in 1978 a federal judge determined, based on his own definition of the term, that the Mashpee Wampanoag did not

qualify as an Indian "tribe" and so ruled against them. (This determination of tribal status was reversed when, in 2007, the US Department of Interior acknowledged the Mashpee Wampanoag as a federally recognized tribe.) The tribe fought the judge's initial ruling, but ultimately lost after six years of legal battles and appeals filed all the way up to the US Supreme Court.

The tribe's legal effort to change the course of development in Mashpee was ultimately unsuccessful, but would it instead be open season for construction throughout town? There were few regulatory controls on development, but would the tribe and other residents be able to slow down, halt, or redirect the process? Would some land be deemed too precious, too special, too important for reasons other than the demand for residential and commercial growth? These questions were very much open and on the table in the aftermath of the land suit.



## THE SCENE:

### *In which Mashpee grows, fast*

There are two basic paths forward for undeveloped land at any given point in time: conservation or development. At different times in different places, each may be more or less likely. In Mashpee and Falmouth from the 1970s through the 1990s, the latter option was increasingly common. This is the period in which the momentum behind development, and the desire for more land, becomes so hard to stop. The population continues to multiply. More people need more roads, more schools, more commercial and public services. Development begets development. The strain on local natural resources becomes clear. And so the need for big, smart conservation efforts became clear, too. This is when our story, the story of the Mashpee National Wildlife Refuge, comes into a clearer focus. Several of the key players behind the MNWR begin their relationships with Mashpee, Falmouth, and the Cape. If our story begins with pre-historic melting ice, it takes shape with the fact that Mashpee was the fastest growing town in New England in the 1980s.

The growth of Mashpee in the 1980s was more like a Sun Belt boom town than a long-established, New England village. With 3,700 year-round residents in 1980 and 7,884 a decade later, Mashpee's population grew at an impressive 113 percent during that time. By

comparison, average population growth in communities across Massachusetts during the same time period was 5 percent. Even during the 1990 to 1994 recession, Mashpee's population grew by 21 percent, compared to an average growth of 5 percent across the towns of Barnstable County and less than 1 percent across the state. The summer population in the mid-1990s, the time when the refuge was under consideration, was estimated at 27,000. This in a town that just two decades earlier had 1,288 full-time residents. In the time it takes to raise a child who today would be 50, the town had 20 times more people—imagine for a moment seeing your town grow so fast.

All those new residents and visitors required space, space that had now been placed on the path of development. Coming out of the land suit, there seemed to be a desire on the part of developers to make up for lost time. Developments that had been planned or even begun and stalled as a result of the litigation now took off. From few if any new buildings per year during the land suit, after the litigation concluded roughly 600 building permits were issued each year in Mashpee.

Mashpee was the fastest growing town on the Cape, which was one of the fastest growing areas of the country during the 1980s and 1990s. So Falmouth, too, saw its share of growth. The fourth fastest growing community in the state during the 1980s, Falmouth's population grew at a rate of 18 percent. In 1970, Falmouth's population stood at 15,942. By 1990, it was 27,960, a growth over two decades of 75 percent. In addition to the service and tourism industry, construction trades were now a major source of employment. It took a lot of people to build all the houses for the other new people. According to the Mashpee National Wildlife Refuge environmental assessment, nearly 1,000 acres of land in Falmouth, or 1.6 square miles, was developed for commercial and residential use during the '80s.

Among the long-time residents and even some of the more recent transplants, there was a growing sense that the towns would be forever changed if residents didn't try to temper the development and population growth. Part of the attraction of Mashpee and Falmouth was that they were not suburban Boston, yet the pace of development in the 1980s was powerfully and suddenly pushing them evermore in that direction.

So began an era of land conservation on Cape Cod. Not that conservation was an entirely new concept, however. The Trustees of Reservations in 1943 acquired Lowell's property on Mashpee Pond, which became the

130-acre Lowell Holly Reservation. In 1959 the Trustees of Reservations obtained from the Farley family three miles of property along the Mashpee River, now part of the 231-acre Mashpee River Reservation. Waquoit Bay, split between Mashpee and Falmouth, had been a target for preservation and conservation since the 1960s when a study found that, of nine sample estuaries in the state, Waquoit supported the greatest diversity of shellfish and finfish species. In 1981 Waquoit was nominated as a National Estuarine Sanctuary, and in 1988 it became home to the Waquoit Bay National Estuarine Research Reserve that still conducts research and public outreach there to this day.

If conservation efforts were nothing entirely new, what was different about this era was the scale and the urgency. This was an historic period of environmental advocacy on the Cape. The cause was immediate and visible. Should that forest be protected and retained or destroyed and replaced with houses? The stakes were high, and the consequence of losing was great, maybe even permanent. Once a forest is cut down and replaced with houses, the loss is, if not permanent, than at least one for countless generations to come. Environmental advocates spoke of needing to set aside a piece of the Cape Cod they knew for their grandchildren. This effort was not seeking remediation for a phantom, naturally occurring substance that human impact has pushed invisibly out of balance. This was not about management of victories already claimed or tweaks around the margins. This was character defining: In what kind of community do we want to live?

It was at this time that one of the leading environmental advocates in modern Mashpee history enters our story. F. Thomas Fudala was hired in 1984 as the town's first planner, principally to work on land preservation. He came to Mashpee with a bachelors degree from the University of Pennsylvania and a masters degree in planning from Harvard University. Looking at zoning rules and undeveloped land at the time, Fudala projected Mashpee's future maximum "buildout" population to be about 55,000, more than 100 times the population in 1950 and still more than three times the 2010 census population. It was Fudala's job in part to make sure that that buildout population did not come to pass.

This early land preservation work is evident to this day all over town, but is perhaps best seen along the banks of Mashpee River. The river, running from Mashpee Pond through the heart of town down to

Popponesset Bay, both has symbolic power and had been a treasure of natural resources, used for both food and drinking water. It was a gorgeous resource for recreational fishing, hunting, and exploring. Portions of the river banks, especially around the upper river, had been protected prior. But in 1985 a developer obtained control of almost 300 acres along the lower river and proposed a golf course and housing development. The Mashpee Board of Selectmen and many residents spoke out against the development, and so began a kind of precursor to the multi-agency, cooperative effort that created the wildlife refuge. The selectmen, the town planning department, the Trustees of Reservations, The Nature Conservancy, the Massachusetts Department of Environmental Management, Massachusetts Division of Fisheries and Wildlife, and the state's Division of Conservation Services came together in the name of preserving the Mashpee River, Fudala's first big project in Mashpee. The town eventually secured \$3,315,000 in state and federal grants to purchase 287 acres on the lower river, now known as the Mashpee River Woodlands. In a tremendous show of support for conservation, Mashpee Town Meeting approved Mashpee's \$2,540,000 share of the total cost of preserving the banks of the river.

In addition to the Mashpee River, a flurry of other conservation efforts worked to keep pace with the development. At about the same time came significant land purchases around Johns Pond, the Childs River, Santuit Pond, the South Mashpee Pine Barrens, South Cape Beach, and Falmouth's Washburn Island. The Quashnet Coalition, a group of nonprofit, citizen, tribal, conservationist, and recreational groups, came together in 1986 to oppose a 580-unit condominium project on land just a few hundred feet from the Quashnet River, surrounding Trout Unlimited's famed restoration project on the river. The Quashnet, running from Johns Pond down through western Mashpee and far eastern Falmouth to Waquoit Bay, once featured renowned trout fishing. The fishing habitat had been destroyed by cranberry bogs, but Trout Unlimited rebuilt the river banks and restored long sections of the stream. Facing off against the proposed development, the conservationists won the Quashnet, too, with a \$10 million appropriation by the state government to protect 336 acres that would go on to become part of the Mashpee National Wildlife Refuge. The Quashnet project was the springboard for the political career of future state Representative Matthew C. Patrick, and included a legendary speech by Vernon Pocknett (Sly Fox), who would go on to become chief of the

Mashpee tribe. Pocknett famously moved the audience at a state legislative hearing at Mashpee Town Hall with his description of having heard gulls asking him to save their land. This was an era-defining victory for conservation efforts in Mashpee and Falmouth.

The pattern found with the conservation victories around the Mashpee and Quashnet rivers was commonplace at the time: developers pitch plans on land of prime ecological importance, the community responds with various concerns, a grassroots effort forms, political forces get behind conservation, and the land is saved. It is a plot line out of a Hollywood script, but it is also often true. Yet, it is not guaranteed. We tell the stories of the successes, but we must remember that at the time, success seemed far from a certainty. The conservationists in Mashpee and Falmouth had notched two big victories in the '80s, but thousands of acres of land were also sent on the other path, that of development. So when developers with ties to New Seabury and Mashpee Commons targeted land adjacent to Jehu Pond and Waquoit Bay, land that became known as the Bufflehead Bay property, for a 530-unit condominium development and an 18-hole golf course, which path would it be? Development or conservation? Would the shoreline, marsh, and upland forest remain in their natural state with public access or would they become home to new residents with access restricted to all others? In the early 1990s, either one was very much possible.



## THE VISION:

### *In which the idea takes shape*

Necessary for the success of any significant conservation effort—or any significant effort at all, really—is timing. The right people, the right external events, and the right mood all must come together in the right place at the right time. So it was with President Theodore Roosevelt's creation of the national wildlife refuge system with Pelican Island off the Atlantic coast of Florida in 1903. Roosevelt had the power, conservation-minded individuals and groups showed the support, and the public was open to the idea of preserving habitat for wildlife after recently seeing the obliteration of iconic species of the American west. So it was with America's first national park in Yellowstone, as it was here with the creation of the Cape Cod National

Seashore, signed into existence by President (and Cape Codder) John F. Kennedy, in 1961. And so it was in Mashpee in the early 1990s, the point in our story at which the refuge and its creators are fully in play.

And so here enters our second key player, one of those right people at this right place and time, a visionary regarded by some as the most important of the bunch. George R. Costa was a former Mashpee police officer and businessman turned selectman. Born and raised in Falmouth, he moved off Cape and ended up back in Mashpee. As a selectman elected in 1992, Costa was not particularly interested in the limelight, instead finding his satisfaction in working more quietly on projects for the town or solving problems that may seem small in the scope of town government but would be huge to affected residents. The Mashpee Enterprise noted that constituent services was one of his strong suits. He was a natural politician, a communicator and negotiator who could get things done.

Costa lived near the Bufflehead Bay property and frequently would walk its trails, enjoying the views of the water and the quiet solace of the forest. So it was a personal issue when he found out about plans to develop the site. He knew the Cape that had existed before the recent development boom—he was born when Mashpee's year-round population was about 400 people—and Bufflehead was the largest undeveloped property left on Waquoit Bay. He was one of those Cape Codders who wanted to help save a piece of it for his grandchildren. He knew that there were two basic paths forward for Bufflehead Bay, and he decided to pursue conservation. At some point in the early 1990s, he was discussing the property with a local friend, John Friel. Friel, who worked for a property management agency in the federal government, suggested the idea of a national wildlife refuge. Costa might pitch the idea of drawing "ecotourism" as a means to generate support, Friel suggested. There could be a visitors center to attract attention for the refuge, as well as to the area in general. The federal government might draw and provide money for the cause. The allure of federal financial support was especially enticing because the town's appetite for high dollar expenditures on land conservation projects was seen to be dwindling as a result of early 1990s recession. In addition, the town had recently received multiple state land conservation grants, so additional support from Boston would be a stretch. So, with a set of problems and a possible solution, Costa and Friel hatched the idea of the Mashpee National Wildlife

Refuge, primarily as a mechanism to preserve Bufflehead Bay. When the refuge was formally approved a few years later, Costa would credit Friel and thank him by name for first seeding the idea.

Costa was now in as the progenitor of the Mashpee National Wildlife Refuge, and in town hall Tom Fudala had a new partner in his mission of preserving land. Costa soon would ramp up the political networking necessary to create a national wildlife refuge, reaching out to local, state, and federal connections, and Fudala would do the planning legwork. Fudala, detail oriented and with an encyclopedic knowledge of Mashpee land and natural resources, set to work on creating a labor-intensive Prospectus document, laying out the case for the concept with a history of development in Mashpee, a description of the proposed refuge, and maps identifying each possible parcel. It was initially set at 2,820 acres in Mashpee focused on the Bufflehead Bay property, based on an evaluation of habitat, wildlife, pre-existing development, and natural resources. The Prospectus was submitted to the US Fish and Wildlife Service in spring of 1993.

The Prospectus answered a key question: So what is this land that might be protected and what species might it benefit? Turns out, there is no one, simple answer. The focus was less on a single, flagship species, though included in the refuge were several rare species—decadon stem borer moth, Pine Barrens buck moth, the spotted turtle, and eastern box turtle. The focus instead was on preserving habitat as a way to preserve the environmental character of the region. And the proposal contained a remarkable diversity of equally remarkable habitats: salt marshes, among the most biologically productive ecosystems on the planet; marvelous here-one-season-and-gone-the-next vernal pools; anadromous fish runs that serve as essential links between feeding and breeding areas for herring and other fish; coastal saltponds that serve as a nursery and habitat for fish and shellfish alike; rare and dank and other-worldly Atlantic white cedar swamps; and pine barrens that seem the ideal forest product of Cape Cod's sandy soil. A walk through the refuge is a walk through much of quintessential Cape Cod, both that of old time tales and modern magazine covers. The famous light of Cape Cod graces Flat Pond, Jehu Pond, Moody Pond, Johns Pond, the Quashnet River, Abigail's Brook, the broad fields of Crane Wildlife Management Area, the dry and scraggly South Mashpee Pine Barrens. With the distinctive habitat of the Cape came the species who

make it home, among them white-tailed deer, coyote, red fox, striped skunk, eastern cottontail, southern flying squirrel, and many more. The birds include a variety of ducks, herons, egret, osprey, towhee, warblers, and grouse. The aquatic species whose habitat would receive protection included blueback herring, American eel, brown trout, eastern brook trout, white perch, striped bass, winter flounder, menhaden, tautog, bluefish, quahog, soft-shelled clam, bay scallop, whelk, and blue crab.

Mashpee Conservation Agent Robert B. Sherman said at the time, "Just about everything you could find that's indigenous to Cape Cod would be found there somewhere." Or, as the refuge Prospectus says, "It provides examples of virtually every habitat type found on Cape Cod." The land was not just significant to Mashpee and Falmouth; it was of regional significance. This was an opportunity to hold onto a piece of Cape Cod, to preserve the ecosystem in and around Waquoit Bay.

The first priority was the Bufflehead Bay property that had initiated Costa's involvement and the concept itself. A subdivision plan had been filed for Bufflehead Bay in 1985, but it was never completed and was on hold at the Cape Cod Commission at the time of the refuge proposal. The 360-acre Bufflehead Bay property borders upper Great River, Jehu Pond, Great Oak Road, and Abigail's Brook and included 60 acres of salt marsh, two Atlantic White Cedar Swamps, a certified vernal pool, much of Abigail's Brook and upland pine/oak forest typical for Cape Cod. The refuge called for the USFWS buying the property from its private owners, a group called Bufflehead Nominee Trust.

The second priority was a 51-acre parcel known as Great Hay Acres. A critical link in the corridor between the South Mashpee Pine Barrens and the Quashnet River, it was subdivided and provided with street and utilities but stalled in development due to the slow economy at the time of the refuge proposal. The third property on the list was 13 acres on the east bank of the Quashnet River, while the fourth was a 70-lot subdivision adjacent to Great Flat Pond, part of an 80-acre property owned by New Seabury Company, that would tie together Bufflehead Bay and the South Cape Beach State Park. In total, there were eight priority properties that totaled nearly 1,000 acres. Retaining these properties in their natural state would save habitat on land and benefit water quality in Waquoit Bay and its tributaries.

The Prospectus articulated the original vision for the refuge. However, at the time of its release, it remained a vision that did not extend much beyond town hall. If this was to be a national wildlife refuge that could attract federal money and attention, that was not good enough. What Costa and Fudala needed was for more people to share and get behind their vision.



## THE STARS ALIGN:

*In which many pieces must fall into place*

There was no singular moment in which the refuge evolved from a pipe dream into a viable proposal. There were some key turning points, though, including some featuring the audacity one might expect from a group of people deeply dedicated to their cause. Costa was not just dedicated and shouting into the wind, though—he also had some connections. According to Fudala, Costa's prior work as a police officer brought him into contact with US Senator Edward M. Kennedy. So when President William J. Clinton attended a June 19, 1993 rally in Boston for Senator Kennedy's re-election bid against Mitt Romney, Costa was able to score tickets. He and Fudala attended, but with an agenda of their own. Fudala says he brought with him a letter signed by both of them asking for the President's support for the proposed wildlife refuge. The two local men waited in line to greet the president and the incumbent liberal Massachusetts senator, and when they arrived at the front of the line, Fudala gave Clinton the documents. Fudala recalls getting threatening looks from Clinton's Secret Service detail, but the President smoothly took the envelope and put it in his coat pocket. It was a bit of a hail mary for Costa and Fudala, but about a month later, Fudala says it paid off when he received a letter from the regional office of the US Fish and Wildlife Service looking to set up a meeting about the wildlife refuge proposal in Mashpee.

Here enters our third key player, one who could help move the project from inside the federal government. Carl Melberg was working at the US Fish and Wildlife Service regional office in Hadley. The USFWS office at this point was already aware of the proposal from the Town of Mashpee for the Mashpee National Wildlife Refuge. However, Melberg said proposals from municipalities are not often regarded positively because they are seen as politically motivated, rather than driven

by the clear and unadulterated purpose of protecting specific and valuable habitat to benefit wildlife. It is at this point that a different project, with different players at a different time might have failed. After much work by Fudala and Costa, the project had come a long way but was stalled at a point in which Fudala and Costa had little direct influence. Furthermore, the USFWS office also was already well underway working on a proposal for another project just a dozen miles away, on the Buzzards Bay side of Falmouth. The Sippewissett Marshes National Wildlife Refuge was far enough along in the approval process to be a candidate for and eventually receive federal funding for a land purchase. Melberg says that the Mashpee proposal at first was shelved at the regional level, before it was even brought to the attention of the national office in Washington, DC. What it needed was a champion with influence in the Fish and Wildlife Service, someone to set in motion another turning point. With US Representative Gerry E. Studds, a friend of Costa's, and local aide Mark C. Forest, it got just that.

Studds, whose district included the south shore, Cape, and Islands, in 1990 became chairman of the US House of Representatives Merchant Marine and Fisheries Committee, which oversaw, among many other things, funding for national wildlife refuges. Studds was a liberal Democrat and stalwart environmentalist. During his prolific career in the House from 1973 to 1997, Studds was involved with the creation of the Boston Harbor Islands National and State Park, the Stellwagen Bank National Marine Sanctuary, the groundwater pollution cleanup from the Massachusetts Military Reservation, and many other initiatives. Studds supported land conservation causes and had a knack for building consensus for complex, multi-agency projects. One such project was just getting underway in Mashpee, initiated by Studds's friend George Costa.

Another one of those turning points took place later in 1993, when Studds and other officials were invited on a number of tours of the parcels identified in the Prospectus. Studds, known as a natty dresser, attended in a three-piece suit and wing-tip dress shoes, attire that did not prevent him from exploring the dunes and trekking through the woodlands of the proposed refuge. Christine Gault, director of the Waquoit Bay Estuarine Research Reserve, recalls catching a couple in a "romantic moment" on one such tour of the dunes near South Cape Beach. Tom Fudala remembers catching people illegally dumping trash in the South Mashpee

Pine Barrens, an illustration of the need for broad cooperation to protect and manage conservation land. A 1995 editorial in *The Mashpee Enterprise* recalls one of the tours thus: "Federal and state Fish and Wildlife officials were taken by convoy on a tour of some remote parts of the proposed refuge. Driving Julie Zurosky's red Jeep over some of these almost impassable trails, Selectman Carol Jacobson kept exclaiming, 'Look! 'Isn't that beautiful!' 'Look at that!'"

To assist him on the ground, Studds relied on Mark Forest as district representative to run the congressman's Cape and Islands office. Forest knew local government from his time working for the Town of Provincetown, experience in which he developed a knack for finding money and getting local capital and conservation projects up and going. Forest joined the congressman's staff in 1985, sharing his boss's concern for the environment and interest in making things happen in his district. Forest would go on to work closely with Studds's successor, US Rep. William D. Delahunt, and the Mashpee Wampanoag Tribe.

An environmentally conscious, productive legislator supported by an active, go-get'em district representative would prove to be a potent combination for the MNWR proposal. It was stuck on the shelf and in the shadow of the Sippewissett refuge project, until calls from above, including from Studds and Forest, began to urge Melberg's office to take a more serious look at it. Studds also had the advantage that the father of one of his staffers was recently retired as the deputy regional director for the US Fish and Wildlife Service—yet another one of those strokes of fortune that helped bring the refuge into reality. While at first Melberg said the proposal was still viewed skeptically due to questions about its importance for species of concern, Melberg and his USFWS colleagues soon began to see it differently. Studds and Forest made the case that the project would benefit Waquoit Bay by protecting land in its watershed. The specific vision for the project to build a partnership also attracted attention. Melberg explains it this way: "Because what we started to see was that there was a partnership down here that it was more than just one piece of land for the Fish and Wildlife Service; the actual proposal included lands owned by the town, lands owned by Falmouth, and they kind of laid out these different groups. So that kind of drew our attention because now all of a sudden it turns from this one little parcel, it turned into a fairly large acreage." And with closer study, Melberg identified specific species of concern, including migratory birds and sea-run brook trout in Quashnet River—enough

resources to warrant an environmental assessment, the next formal step in the approval process.

With Melberg, Studds, and Forest, the MNWR vision had spread beyond Costa, Fudala, and Mashpee Town Hall to the federal government. Costa also had an ally in the director of the Waquoit Bay National Estuarine Research Reserve (WBNERR), Christine Gault. WBNERR was a federally designated facility, so its involvement added legitimacy to the proposal, making the refuge more of a priority. Gault, with experience in both policy and science, had become director in 1989. She stood squarely behind the refuge proposal. Today the MNWR and WBNERR boundaries overlap, with WBNERR staff managing and conducting research on some of the refuge's property.

Demonstrating Costa's networking prowess, the proposal had already gained letters of support from the Mashpee Board of Selectmen, the Mashpee Conservation Commission, the Mashpee Planning Board, Mashpee Wampanoag Tribal Council, WBNERR, the US Environmental Protection Agency, the office of US Senator John F. Kerry, the office of US Senator Edward Kennedy, the Association to Preserve Cape Cod, the Compact of Cape Conservation Trusts, and state Representative Thomas S. Cahir. The Mashpee Board of Selectmen and town administrator declared their support in the Prospectus: "The Town of Mashpee is willing to provide all possible efforts to assist in the proposed acquisitions, including donation of some of its Town-owned parcels, provision of mapping, ownership and sales data, assistance in contacts and negotiations with property owners, adoption of regulations necessary to ensure the compatibility of land uses adjacent to the refuge and anything else which may be necessary to ensure the success of this project." The vision of the Mashpee National Wildlife Refuge first held by Costa and Fudala was beginning to be seen far beyond town hall.



## THE PIECES COME TOGETHER:

*In which the town and tribe get on board*

If the proposal to create a wildlife refuge in Mashpee and Falmouth lacked a singular moment upon which its success turned, what it did instead was snowball, picking up support and detail as Costa and Fudala pushed it forward. Costa continued his work behind the scenes, gathering information, making phone calls, visiting offices in Boston and Washington, D.C. This part of the cause suited his limelight-averse personality.

Back in Mashpee, as Costa looked to build support for the refuge, an obvious ally would have been the Mashpee Wampanoag Tribe. However, that support would prove to be complicated. The tribe and its members had a clear and long-stated interest in land preservation. The tribe and its members had joined in other, major conservation efforts, including prominent involvement in the effort to forestall development along the banks of the Quashnet. From one perspective, a national wildlife refuge should be an obvious area of cooperation between town and tribe. This was an effort seeking to preserve land in Mashpee that wanted the support of a tribe that also wanted to preserve land in Mashpee. Yet the tribe's view of the federal government was wary at best. The tribe had been seeking federal recognition since the days of the land suit, an effort nearly two decades old at that point, but had been continually met with bureaucratic obstacles. Wasn't this the same federal government that was now supposed to come and take over control of land in Mashpee? It was a federal judge who ruled against the tribe in the land suit, questioning the very existence of the tribe as a distinct entity. Would the tribe's very identity end up being questioned in this federal approval process as well? Furthermore, there remained a mistrust between whites and natives in Mashpee. Tribe members and leaders could still personally remember the loss of control of land and government in Mashpee, including access to property that their ancestors had used for hundreds if not thousands of years. Would federal involvement mean more loss of local public access? Tribal Supreme Medicine Man John Peters, known as Slow Turtle and an influential spiritual leader in the tribe, was among those who were skeptical of the proposal.

The environmental assessment now underway at the USFWS regional office relied heavily on the old Prospectus, but it also required that federal officials come to Mashpee and Falmouth to meet with stakeholders and solicit public input on the proposal. Among those stakeholders was the tribe. And despite a generally skeptical attitude from his tribe, one influential tribe member got behind the project and proved to be an indispensable ally to Melberg and the wildlife refuge project. George (Chuckie) Green was vice chairman of the Mashpee Wampanoag Tribal Council at the time and a long-time volunteer and elected official in town government. According to Melberg, Green invited him to meet with tribal members in Mashpee. It began as a confrontational gathering, with tribe members expressing deep mistrust in the federal government

and therefore this federal project. However, Green served as an intermediary, assuaging the fears of his fellow tribe members, explaining the wildlife refuge purpose and process, and urging trust in the USFWS. The meeting was not covered by local media, but today Melberg credits it as a key moment. While Melberg credits Green as an essential peacemaker and envoy, Green in turn credits Melberg's willingness to come to the meetings, present his case, and work to sway an unsupportive party with a distinct culture and history.

So here in 1994 we have another turning point: the once oppositional tribe became an ally, voting to support the project. The campaign was so effective that Slow Turtle, the same tribal elder who expressed deep suspicion of the proposal at first, would go on to deliver a blessing at the refuge signing ceremony a few years later. The tribe would be a signatory to the original memorandum of understanding. The tribal council's land, however, remains separate from the wildlife refuge. The tribe, then as so many times before, remained distinct.

The federal environmental assessment process, meanwhile, carried on. Melberg and his USFWS wildlife biologist colleague Mary Varteresian were frequent visitors to the area, in pursuit of information, input, and support. The Falmouth Board of Selectmen offered its formal support for the project in a unanimous vote in August 1994. The purpose of the refuge was to conserve as much of the Waquoit Bay watershed as possible, and with the bay shared between the two towns, Falmouth's stake in the matter was significant beyond even the simple fact of shared boundaries. Budget constraints made the USFWS unable to pursue costly, big projects on its own and made the cooperative approach found in the MNWR necessary. "Fish and Wildlife is trying to do more with less money and less people," Varteresian said at the time, "so that involves cooperation with others." Furthermore, much of the land in the refuge was already under conservation, held by the state, the towns, and private land preservation groups, so a multi-agency approach was necessary. The Mashpee Board of Selectmen offered its support in a vote on August 22.

A public information meeting in September 1994 was a prime example of the dynamic that was playing out around Mashpee. The proponents were organized, had well-honed answers to questions both general and specific, and had a variety of speakers to address concerns from a variety of angles. Fudala spoke about the benefits of land conservation while Costa spoke

about the politics, Green spoke about the character of Mashpee, and a small army of others delivered arguments both personal and political. David Hendrick, of real estate agency Bell One, said: "If you kill the bays, you kill the beaches, you kill the golden goose, plain and simple...Mashpee, because of the zoning and the lack of development over the years, is probably one of the last places on the Cape where you can pull something like this off," according to a write up of the public meeting in *The Mashpee Enterprise*. The supporters seized on the unprecedented arrangement of this refuge, with the federal government being one of several different prospective landowners, rather than simply owning the entire property.

Support for the proposal at the meeting was "overwhelming," as the *Enterprise* put it, including from the independent, sometimes contrarian Mashpee Taxpayers Association. Support was not universal, however, and a small but vocal contingent of local opposition made its voice heard. Residents expressed concern about tax revenue loss as a result of Bufflehead Bay being held in conservation. Mashpee Economic Development Committee Chairman Sidney H. Stern and Selectman Nancy F. Caffyn spoke for the opposition. Stern said he looked at the Bufflehead Bay property and saw a "magnificent piece of land" offering the possibility of a fantastic resort. "It's in a marvelous location for a beautiful resort, for a hotel resort this town needs," he said. Costa said Bufflehead Bay Nominee Trust, which included Fields Point Limited Partnership President Arnold (Buff) Chace Jr., supports the refuge. "Sure," Selectman Caffyn said, "they want the money." Stern was unmoved by the payments that the USFWS offered to towns in lieu of lost tax revenue, arguing that the town would lose \$22,500 per year. Fudala, however, questioned that conclusion, arguing that the increase in development will mean ultimately more costs in municipal services than it would lose in revenue from the property being in conservation.

Following the public information meeting in September that was attended by 40 people, a draft environmental assessment was released one month later. Federal officials held 25 meetings with interest groups and received 60 letters in response to the draft environmental assessment, all in support of the refuge. Dramatically fewer people attended the open houses in Falmouth and Mashpee later that fall, a fact that the final Environmental Assessment attributes to residents' questions and concerns being addressed and support

growing for the project.

As 1994 came to a close, the Mashpee National Wildlife Refuge proposal had a solid foundation. The key players were all in place: Fudala, Costa, Studds, Forest, Melberg, and Green, joined by Christine Gault at WBNERR, as well as refuge manager Edward Moses and Mary Varteresian on the USFWS staff. The bureaucratic process was underway and going well. There was some opposition, but it gained little real traction, as evidenced by the 60:0 ratio of support to opposition letters submitted to federal officials. Beyond the individuals and the specific project in Mashpee and Falmouth, though, a host of other external factors were taking shape that would prove to benefit the MNWR cause. Here again, our timing proves just right.

In addition to losing wildlife habitat to development, Mashpee and Falmouth were dealing with an environmental issue of an entirely different sort. By the early 1990s, pollution from the various installations at the Massachusetts Military Reservation had been discovered and documented. The aquifer running under and through our glacially-formed landscape—the sole source of drinking water for Mashpee and Falmouth residents—was now tainted by chemicals. Land use had created a genuine public health concern that received prolific coverage in local media. Concern for the environment on Cape Cod was now not just about retaining a rural character or protecting wildlife.

Meanwhile, residents began noticing degradation of water quality, habitat, and fish and shellfish abundance in coastal ponds. The Mashpee River, among many other beloved local bodies of water, was becoming choked by algae. Research conducted in Waquoit Bay by prestigious Falmouth marine research institutions was instrumental in linking nutrient pollution to the ruination of fisheries habitat in the region's bays and rivers. Waste disposed in sinks, drains, and toilets, as well as potent fertilizers applied to lawns and gardens, eventually reaches the groundwater, the same groundwater that was being polluted by the military installations at MMR. The groundwater is not only the region's source of drinking water, but also a sort of invisible feeder to the Cape's rivers, ponds, and bays. What goes into the ground ends up in the surface water, too, in this case rendering the aquatic ecosystem almost completely foreign from what it had been. Sandy bay bottoms were becoming covered in oozy black muck formed from dead algae. Residents were reminded that development not only means a loss of wildlife habitat,

but often also brings with it impacts on the habitat that remains.

Though there was no shortage of troubling environmental news, the Town of Mashpee had reason to celebrate. 1995 was the 125th anniversary of the town, and festivities were planned throughout the year. Town pride was running high. Residents were reminded of Mashpee's unique history and were urged to consider what sort of town they wanted Mashpee to become in its next 100 years. Inherent in this vision, of course, was how developed the town should become.

Beyond the Cape, in February of 1995, the US Department of Interior released a major study of the health of the American landscape, a landmark in the shift from focusing on individual species to focusing instead on ecosystems. The report found that scores of ecosystem types are declining or even vanishing completely and concluded that preserving large tracts of conservation land is key. Wildlife is not saved by focusing on singular species, but instead by focusing on preserving the entire ecosystem on which that species relies to survive. This "ecosystems approach" to wildlife biology had been favored in scientific circles for some time, but was just then becoming part of public policy on a large scale. It was also strikingly similar to what was proposed in Mashpee and Falmouth: rather than focusing on habitat for a single marquee species, the Mashpee National Wildlife Refuge was trying to preserve some of the last remaining habitat in an area that had been radically changed by development over the past few decades. This was the right project, at the right time, in the right place, with the right people behind it.



## THE FINAL DECISION:

### *A bigger refuge but more challenges ahead*

With so much in its favor, the project seemed destined for victory, but at the beginning of 1995, a few more key steps remained. USFWS would release a final Environmental Assessment, a key document that lays out the scope of the project, including identifying different courses of action and recommending one, and often determines ultimate approval. After the EA would come a final decision and, if all went well, a ceremony to celebrate. Yet approval of the refuge would not mean the work was over. In fact, approval would not

guarantee that Bufflehead Bay or any other piece of privately owned, undeveloped property would in fact be preserved. First, though, some key details remained unresolved.

While the Bufflehead Bay property was the springboard for the idea, the refuge would stretch far beyond the shores of Jehu Pond. The original Prospectus Fudala had written two years earlier outlined 2,820 acres. However, federal officials, most notably USFWS refuge manager Ed Moses and Mark Forest, urged it to be more ambitious, as a larger refuge was more likely to gain the necessary Congressional approval. As a result, the final Environmental Assessment called for a preferred protection effort of 5,781 acres, split 4,653 in Mashpee and 1,218 in Falmouth. The recommended boundary was more than double the original proposal. "Make it big. Contiguous and big, that's what we got from Moses and the gang," Fudala recalls. "So it was as big as I could gerrymander it from undeveloped land without being non-contiguous." Included in the proposed boundary was undeveloped, contiguous land, both publicly and privately owned. (No developed land was included, although some has been lost to development, including the Mashpee High School property, after the Refuge was created.)

The final Environmental Assessment maintained a similar list of priority land acquisitions from the Prospectus, with Bufflehead Bay still at the top of the heap. Similar, too, was the fundamental vision, articulated this way in the EA: "The overriding beneficial impact of this land acquisition proposal is to long-term protection and management of forested upland and wetlands habitat characterizing this area. Mashpee NWR will preserve the existing vegetation diversity and patterns that characterize the area." Here we are preserving the habitat that in part defines the character of this area.

In support of this idea, the refuge proposal came to include not just the town and the US Fish and Wildlife Service but a group of other partners as well. Due to its size, the amount of development that had already taken place around the refuge, that several different groups already owned conservation land within the refuge boundaries, and the need for a wide base of financial and political support, the refuge fully became a group effort. Instead of the federal government coming in, proposing a wildlife refuge in a new area, and then leading the community and stakeholders through the approval

process, the Mashpee refuge brought eight separate partners together, including the federal government, to support a shared commitment. The eight conservation partners who would go on to manage the Refuge are: U. S. Fish and Wildlife Service, Mashpee Wampanoag Indian Tribal Council, Falmouth Rod and Gun Club, Orenda Wildlife Land Trust, Massachusetts Division of Fisheries and Wildlife, Massachusetts Department of Environmental Management/Waquoit Bay National Estuarine Research Reserve, Town of Mashpee/Conservation Commission, and Town of Falmouth/Conservation Commission. These visionaries formed a partnership that was unprecedented for national wildlife refuges at the time. This group still today forms the partners of the refuge, tasked with stewarding it into the future.

Following a positive final EA and approval from the director of the US Fish and Wildlife Service, along with congressional and Presidential approval of the refuge's acquisition boundary, the MNWR was in as the nation's 504th national wildlife refuge. On April 16, 1995, a few days before the April 19 ceremony, the Cape Cod Times ran a splashy Sunday feature page story about Costa and the refuge under the headline, "Creating a natural sanctuary: Mashpee selectman's wild dream comes true." The focus was on Costa and his experience growing up in Falmouth, loving wild spaces, and resolving to preserve some of what he knew for his grandchildren. Costa said that the hardest part was getting local, state, and federal officials to work together. "I had a vision and faith that they could work together," he said. "I knew the key was cooperation. I didn't let it die. I drove people crazy. I gave it all I had."

Costa received a large share of the credit. Yet by nature he was often self-effacing, not one to seek individual praise. In interviews at the time, Costa repeatedly demanded that credit be shared with what he described as a large group of individuals involved in the effort. This is both true and not. There was indeed a larger group of individuals involved in the effort, but Costa's role was not a minor one. In visualizing the concept, raising money, and gathering support, Costa stood out.

So it was that at the ceremony celebrating the establishment of the refuge and signing the memorandum of understanding that codified it, Costa both held and shared the stage with many others. Before a crowd of more than 200 people at the Waquoit Bay National

Estuarine Research Reserve headquarters overlooking the bay, Costa thanked Friel, Fudala, Moses, Melberg, and Mary Varteresian. "I don't want anybody to think I did this alone, because there were hundreds of people involved in this," he said. A white tent sheltered the group from the rainy weather outside. Also speaking at the occasion were state Senator Henri S. Rauschenbach, state Rep. Thomas S. Cahir, state Rep. Eric T. Turkington, state environmental commissioner Peter C. Webber, and state Undersecretary for the Executive Office of Environmental Affairs Leo Pierre Roy. Studds spoke and compared it in significance to the Cape Cod National Seashore, while highlighting the importance of the many groups involved. Strictly limited funding available in Washington for refuge land purchases made the cooperative approach not just significant but even necessary: "The resources are not there," Studds said. "We have to be imaginative, and we have to work together and, by gosh, it's encouraging to see this."

The event was celebrated in the local press, with especially deep coverage in the pages of *The Mashpee Enterprise*. "The emotional triumph of all of this was captured for us in the exuberant, joyous hug WBNER Director Christine Gault and Tribal Council President Chuckie Green gave each other after the signing of the Memorandum of Understanding," the *Enterprise* wrote in an editorial. "Wednesday's establishment of the Mashpee National Wildlife Refuge brought together under one tent those old enough to see something so memorable happen and those too young to understand the importance of what they were witnessing."

John Peters, Supreme Medicine Man and executive director for the Massachusetts Commission on Indian Affairs, offered proof of that point while delivering a blessing. "This has been a dream of my people, how to preserve this land for generations to come," Slow Turtle said. "I never thought I'd live long enough to see this happen." He spoke about the damage done to river herring: "I want you to think about that one species we've almost been able to bring to a halt here in the town of Mashpee...God has put this here for us, and we don't have to do anything to it. It will do for itself. Just think of that...It's coming to pass today where we see the people are looking at the important things that happen in nature."

Just after the signing, Cathy Short, deputy regional director of the US Fish and Wildlife Service, declared, "Okay, ladies and gentlemen, we have a refuge."

# Celebrating the New Mashpee Refuge- Program Agenda & Pictures

## *Establishment of Mashpee National Wildlife Refuge and Execution of Memorandum of Understanding*



*April 19, 1995  
10:00 A.M.*



### *Partnership*

- U.S. Fish and Wildlife Service
- Massachusetts Executive Office of Environmental Affairs
- Massachusetts Department of Environmental Management/Waquoit Bay National Estuarine Research Reserve
- Massachusetts Division of Fisheries and Wildlife
- Town of Mashpee/Mashpee Conservation Commission
- Town of Falmouth/Falmouth Conservation Commission
- Falmouth Rod and Gun Club
- Orenda Wildlife Land Trust
- Mashpee Wampanoag Indian Tribal Council

### *Refreshments donated by:*

Falmouth Rod and Gun Club  
Massachusetts Chapter of Trout Unlimited  
Town of Mashpee

### *Flowers arranged by:*

Falmouth Garden Club



*Cathy Short signing MOU for USFWS as Regional Chief Tony Leger and Carl Melberg look on.*

## *Program*

### Welcome

Cathy Short  
Deputy Regional Director, USFWS, Region 5

### Presentation of Flags

Sixth Warning Squadron  
1<sup>st</sup> Battalion, 25<sup>th</sup> Marines  
4<sup>th</sup> Marine Division, FMF

### Pledge of Allegiance

Cathy Short

### America the Beautiful

Falmouth High School Brass Band

### Speakers

Cathy Short  
Deputy Regional Director, USFWS, Region 5

Gerry Studds  
U.S. Congressman, 10<sup>th</sup> District, Massachusetts

Judy Mills  
Chairwoman, Board of Selectman, Town of Mashpee

Troy Clarkson  
Vice Chairman, Board of Selectman,  
Town of Falmouth

Arthur "Badge" Blackett  
Trust for Public Lands

Peter Webber  
Commissioner, DEM

Trudy Cox  
Secretary for Executive Office of  
Environmental Affairs

Thomas Cahir  
State Representative, 10<sup>th</sup> District, Massachusetts

Eric Turkington  
State Representative, 10<sup>th</sup> District, Massachusetts

Henri Rauschenbach  
State Senator, 10<sup>th</sup> District, Massachusetts

John Peters  
Supreme Medicine Man, Mashpee Wampanoag Indians  
Executive Director, Massachusetts Commission on  
Indian Affairs

Cathy Short

### Presentation and MOU Signing



*US Fish and Wildlife Service (USFWS) Deputy Regional Director Cathy Short, Congressman Gerry Studds, and Mashpee Selectman George Costa. After the presentations all refuge partners signed the Memorandum of Understanding (MOU) document for the official declaration of the newly designated Mashpee National Wildlife Refuge.*



*State Rep. Eric Turkington speaking at MOU signing.*



*John Peters (Slow Turtle), supreme medicine man for the Mashpee Wampanoag Indians, received a standing ovation for his comment about the Mashpee National Wildlife Refuge. He was also the executive director of the state Commission on Indian Affairs.*



*Congressman Gerry Studds*



*Selectman George Costa signing the MOU for the Town of Mashpee.*



*Chuckie Green signing MOU for the Mashpee Wampanoag Tribe*



*George Costa (left), Ed Moses of US Fish and Wildlife Service and Mashpee Town Planner Tom Fudala at the MOU signing.*



*Group photo with newly signed MOU representing the new partnership at Mashpee National Wildlife Refuge.*

## "Mashpee Refuge To Serve As Model For United States." By Paul D. Ott. Mashpee Enterprise, Friday, April 21, 1995

The Mashpee National wildlife Refuge came into existence Wednesday, enabling future generations to enjoy the beauty of as much as 6,000 acres of pristine land and providing the nation with a new model for the creation of Refuges.

The creation of the Mashpee refuge was witnessed by about 200 people during a ceremony Wednesday morning under a tent near Waquoit Bay. Despite gray skies, rain and a rumble of thunder, the mood under the tent at the Waquoit Bay national Estuarine Research Reserve was undeniably upbeat.

At the close of the ceremony, U.S. Fish and Wildlife Service Deputy Regional Director Cathy Short signed the document that transformed a two-year dream of a refuge into a reality. "Okay, ladies and gentlemen, we have a refuge." Ms. Short announced to thunderous applause from those in attendance.

During the ceremony, town, state, and federal officials all spoke about the historical importance of Wednesday morning-about the land being preserved for future generations and the unique partnership among private and public interests that will serve as an example in a time of budget cutbacks.

The creation of the refuge was the fulfillment of a dream for John Peters and his people. He is the Supreme Medicine Man for the Mashpee Wampanoag Indians and executive director for the Massachusetts Commission on Indian Affairs.

"This has been a dream of my people, on how to preserve this land for generations to come." said Mr. Peters, who is known as Slow Turtle. "I never thought I'd live long enough to see this happen." Mr. Peters, who emphasized the uniqueness of every person, also spoke about the damage caused in recent years in Mashpee to the herring, which flourished for thousands of years. "I want you to think about that one species we've almost been able to bring to a halt in the town of Mashpee." He said.

The Mashpee National Wildlife Refuge will help protect species in the refuge area in Mashpee and Falmouth, said Mr. Peters, who added: "God has put this here for us, and we don't have to do anything to it. It will do for itself. Just think of that."

"Your life has got meaning today," said Mr. Peters, who noted the refuge will be enjoyed by future generations. "It's coming to pass today where we see the people are looking at the important things that happen in nature."

The Mashpee National Wildlife Refuge is home to endangered and threatened species that include the peregrine falcon and the Eastern box turtle.

### Shore Birds And Fish

Many species of shore birds also stop at and use the Waquoit Bay estuarine system during their migration. Blueback herring, Eastern brook trout, rainbow smelt and striped bass live in the rivers of the Waquoit Bay watershed.

The boundary for the Mashpee National Wildlife Refuge encompasses 4,653 acres in Mashpee and 1,218 acres in Falmouth. Of the 5,971 acres in the refuge area, 2,037 acres are owned publicly by the towns of Mashpee and Falmouth, three state agencies and three non-profit organizations.

President Theodore Roosevelt established the national wildlife refuge system, which today includes 89 million acres on 504 refuges.

"The Mashpee National Wildlife Refuge breaks the mold of the traditional refuge." Ms. Short said. "This is a new refuge. This is a new kind of opportunity."

Characterized by various speakers Wednesday as a unique animal or creature, the Mashpee National Wildlife Refuge owes its uniqueness to a partnership of private and public interests that will result in a corporative management of the land as a national wildlife refuge.

The nine partners Wednesday morning signed a Memorandum of Understanding for the management of the refuge: the U.S. Fish and Wildlife Service, the state's Executive Office of Environmental Affairs, the state's Department of Environmental management/ WBNERR, the state's Division of Fisheries and wildlife, the town of Mashpee and its conservation commission, the town of Falmouth and its conservation commission, the Falmouth Rod and Gun Club, the Orenda wildlife Trust, and the Mashpee Wampanoag Indian Tribal Council.

Given federal cutbacks in funding for land purchases, Congressman Gerry E. Studds said, the extraordinary partnership that resulted in the Mashpee National Wildlife Refuge will be considered elsewhere in the country.

"It already has been looked at as a potential nationwide model for the future," he said. "The resources are not there. We have to be imaginative, and we have to work together and, by gosh, it's encouraging to see this."

Noting there was not a single voice of opposition to the creation of the Mashpee refuge, Mr. Studds said it was amazing that the proposal for the refuge had increased in two years from 2,000 acres to 6,000 acres.

In this era of glib talk about contract with the American people, Mr. Studds added, the contract the people of Cape Cod made Wednesday with the land and water was of lasting importance.

"we understand the health of one is linked to the health of the other," he said. "It is a celebration, I think, of that contract."

Following Mr. Studds, Mashpee's Board of Selectmen Chairman Judy M. Mills thanked the Mashpee Wampanoag, "who, for the past 500 years, have been trying to teach us that land has a value beyond that which appear on your tax bill."

"I commend you and thank you for your patience as a teacher," Selectman Mills said.

Selectman Mills also noted that Mashpee voters will be asked at town meeting next month to approve an easement to the U.S. Fish and Wildlife Service for 50 acres for the refuge.

Troy B.G. Clarkson, who is vice chairman for the Falmouth Board of Selectmen, announced that the family of Earle Marsters, who live in Mashpee, is donating 10 acres of beach front property on Hamblin Pond to the U.S. Fish and wildlife Service for the refuge.

Describing the donation from the Marsters family as a truly wonderful act, Selectman Clarkson said the property will be the first Falmouth parcel in the refuge. A portion of the parcel is also in Mashpee.

He said the Falmouth Planning Department has targeted land on Jenkins Pond of the refuge. "To acquire that gain exemplifies the spirit of conservation and the wonderful dedication we see from so many of the people here today." Selectman Clarkson said.

The 275 acres Bufflehead Bay parcel in southern Mashpee, which would serve as the crown jewel in the refuge, is also being actively pursued for inclusion in the refuge.

Arthur (Badge) Blackett of the Trust for Public Lands, which has acquired the right to purchase Bufflehead Bay, said his non-profit organization has committed more than \$200,000 in contract deposits and staff time over the next 18 months to acquire Bufflehead Bay for the refuge.

The Trust for Public Lands purchases private land for refuges and sells the property to the federal government when funding becomes available for it.

"I owe you my sincerest congratulations on what you've done and what you've built." Said Mr. Blackett, who described the partnership as a remarkable one. "Nobody is being asked to do this alone, and that's the most important point to stress. We're all in this together."

A low rumble of thunder sounded over the tent and punctuated Mr. Blackett's remarks. "in case you didn't hear it, we just get a rumble of approval from above." Mr. Short said to laughter.

Near the end of the ceremony Wednesday morning, Mashpee Selectman George R. Costa was commended by

Ms. Short of his efforts over the past two years in making the refuge a reality. He began the talks with federal officials that led to the creation of the refuge.

Ms. Short and Mr. Studds presented Selectman Costa with a plaque that expressed appreciation for his vision, commitment and dedication to the protection of wildlife resources in Mashpee and Falmouth for the benefit of the American people.

"I don't want anybody to think I did this alone, because there were hundreds of people involved in this." Said Selectman Costa, who specifically thanked John Friel of the U. S. General Services Administration, Mashpee town Planner F. Thomas Fudala, and Edward Moses, Carl Melberg and Mary Varteresian of the U.S. Fish and wildlife Service.

Selectman Costa said every one of the persons in attendance contributed in some way to the creation of the refuge. "A tremendous amount of effort and time was put in by everybody." He said. "It's just tremendous to see something come together and work without one single argument."

### Other Speakers

Also speaking at the ceremony Wednesday were Senator Henri S. Rauschenbach (R-Brewster), Representative Thomas S. Cahir (D-Bourne), Representative Eric T. Turkington (D-Falmouth), the state's Department of Environmental Management Commissioner Peter C. Webber and the state's Undersecretary for the Executive Office of Environmental Affairs Leo Pierre Roy.

After the ceremony, which lasted for little more than one hour, people gathered in the main house at the Waquoit Reserve. Refreshments were donated by the Falmouth Rod and Gun Club, the Mashpee chapter of trout Unlimited and the town of Mashpee. Flower arrangements for the event were donated by the Falmouth Garden Club.

The Falmouth High School Brass Band performed "America the Beautiful" at the beginning of the ceremony, and the Sixth Warning Squadron, the 1st Battalion, 25th Marines, and the 4th Marine Division, FMF, presented the flags.

As the result of the creation of the Mashpee National Wildlife Refuge, the U.S. Fish and wildlife Service can buy land, accept donations and negotiate conservation easements with private landowner in the refuge boundary.

The partners who own land in the refuge will retain their ownership and management rights over the land. A committee will discuss management issue with the partners for the refuge Ms. Short said.



## WHAT COMES NEXT:

*In which a new phase begins*

The celebration was grand, but this point in the story of the Mashpee National Wildlife Refuge makes clear a key fact about the refuge. Approval did not mean that all the land in the new refuge boundary would automatically go into conservation. Land in the refuge could and would still be developed. That big, contiguous boundary that Fudala had created included land that could be sold or developed. Refuge land was to be conserved based on a "willing seller basis." In other words, anyone who wants to sell land to one of the refuge partners to be conserved can do so for fair market value; anyone who doesn't is not really affected. A selling point of the refuge was that it promised no additional regulatory burden on landowners. USFWS has power of eminent domain, but as of 1995, of the 90 million acres in wildlife refuges across all 50 states, less than 1 percent of land was taken that way. What the refuge provided instead was access to federal money, a clear argument for preserving land within the boundary, a dose of prestige, and an agreement between the partners to work together to preserve as much land as possible inside the refuge boundary.

So here our story shifts, from the drive for approval to instead using the refuge to protect more land. Within the refuge, 3,900 acres were privately owned by about 290 individuals or corporations. The original players—Fudala, Costa, Melberg, Studds, Forest, and Green—all remained actively involved with pushing to make the refuge fulfill its promise, but here enters another key player. In June, two months after the approval ceremony, David R. Palmer held one of the first meetings of the newly created Friends of the Mashpee National Wildlife Refuge. Palmer, who was retired from a successful career in finance and became the founding president of the Friends group, lived first in Mashpee and then in Falmouth. Palmer was an inspirational, energetic man with a talent for organizing people and galvanizing support for an issue.

The purpose of the June meeting was to attract volunteers to join the cause of supporting the new refuge. The effort had the support of Ed Moses, the refuge manager. "Volunteerism in the '90s is going to be ever more important, because of the reductions in our workforce and the reductions in our operating budget,"

Moses said in a June 1995 article in *The Mashpee Enterprise*. "Volunteers have a tremendous amount of expertise to share, and many hands make light work." Palmer laid out three priorities for the Friends group: working on trails, helping with habitat management, and helping with land acquisition. He capitalized on the early enthusiasm for the refuge.

The excitement for the refuge was stoked further by a streak of early victories. In July, just three months after the refuge had been approved, the state Department of Environmental Management bought 55 acres near Great Flat Pond for \$2 million. This was a messy transaction that involved a transfer of development rights and included opposition from officials from the independent Mashpee Water District, who were concerned that the area near Bufflehead Bay where development rights were moved would impact public drinking water wells. Yet despite the complication, the acquisition was a success.

And it was followed by another: 54 acres near Mashpee High School were added to the refuge in September 1995. The property was owned by the town, but with support from Town Meeting, the Mashpee Board of Selectmen put a conservation restriction on the property in order to include it in the refuge. "This marks the first actual deed conveyed to the U.S. Fish and Wildlife for the Mashpee National Wildlife Refuge, so it's a very momentous day," said Executive Secretary Robert L. Whritenour Jr. The town maintained ownership, but care, custody, and control were transferred to USFWS. The significance of being next to the place where Mashpee's children take their education was noted by then-selectman Peter Dinizo: "As the cornerstone for the Mashpee National Wildlife Refuge, I think it's opportune that it's right next to the high school...The symbolism is extraordinary."

Then, in November, filmmakers came to Mashpee to film footage for a CBS Sunday Morning show titled "America's Gift to You," about the country's wild and open spaces. Mashpee was one of five areas in the nation chosen for the segment. Costa and Moses, as well as Fudala for part of the tour, served as guides through the refuge.

However, as selectmen were celebrating the publicity generated by the refuge, a new battle was taking shape, one that was much more important to defining the early success of the refuge. The 325-acre Bufflehead Bay property had played an outsized role

in the concept and creation of the refuge from the beginning. This was where George Costa walked and first envisioned the concept. This was target property number one, the top priority in the Prospectus and every other document produced to call for the refuge. Fudala and Mashpee Conservation Agent Bob Sherman called it the most beautiful piece of property within the refuge. The Friends of the Mashpee National Wildlife Refuge wrote of the property, "The U.S. Fish and Wildlife Service believes that the protection of the site is of paramount importance to the integrity and effectiveness of the entire refuge. Bufflehead Bay is positioned in a key location that connects South Cape Beach State Park/Washburn Island with the northerly parts of the refuge. Without this piece of property, the connection is lost, and the effectiveness of the refuge in connecting and encompassing the many diverse habitats within the refuge would be devastating." In an April 1996 editorial, the *Enterprise* called the property "a universal priority." But it remained in private hands.

This was where the two possible paths of Cape Cod property were laid into their starkest reality: development or conservation? A resort featuring hundreds of homes and a golf course? Or woods and salt marsh and pristine shoreline? Private property and tax revenue or public access and revenue neutral? With its support for the refuge earlier in the decade, the town had made its preference clear. But in early 1996, the town's preference for this premier piece of land was far from a guarantee. While supporters of the refuge were largely in agreement about the need to lock up the property, not everyone in town was excited about spending town money to do so.

The Bufflehead Bay property was at one point targeted for a golf course and 530-unit condominium development (comparable in size to Southport). The property had been owned by New Seabury Limited Partnership, but in the 1980s its construction plans were prevented by the town and three other parties filing competing land claims. As a result, the project never happened, the property was foreclosed, and Bufflehead Bay Nominee Trust emerged as the new owner. The Bufflehead Bay trust included Mashpee Commons developer Arnold "Buff" Chace. The property had the attention of town, state, and federal officials. And as with the creation of the refuge itself, a complicated process involving multiple players who each depended on the follow through of the others began to evolve.

At the start of 1996, the scenario was this. The 325-acre property would be split in two phases as a result of federal grant restrictions, each to be purchased separately. Mashpee residents would be asked at May Town Meeting to pay \$250,000 toward purchase of 75 acres of it for \$1.5 million. State and federal grants, the latter applied for by a nonprofit called the Trust for Public Lands, would cover the rest of the \$1.5 million. A second-phase effort would then work to purchase the remainder of the property. The Trust for Public Lands, based in San Francisco with a mission to aid in the conservation of important habitat, had an option to purchase the whole property that would expire in October.

A majority of selectmen—though with Nancy Caffyn in opposition not a unanimous one—were in support. Many of those in favor, including the *Enterprise*, argued that securing the property in conservation would bring to Mashpee "green tourism," people interested in coming to Mashpee for its natural resources as much for its shopping and golf courses. Opponents questioned whether the 75 acres was realistically worth \$1.5 million and whether the rest of the property would end up being developed anyway, undercutting the recreational and habitat value of the smaller portion. Outspoken Mashpee environmental advocate Edward Baker also questioned the "green tourism" pitch and urged the town to spend its money on another property that the town had recently lost due to a title challenge. Working against the supporters was also a down economy that they worried would suppress any appetite voters had to spend money on land conservation projects. Furthermore, the recently elected Republican majority in the US House of Representatives was more interested in limiting federal spending than in supporting land conservation purchases.

Leading up to May Town Meeting in 1996, supporters and opponents organized public forums (one sponsored by the town Finance Committee, one by the Trust for Public Land, and one by the nonprofit Mashpee Taxpayers Association) to address questions about the purchase as well as a site visit for residents to see the property. The article asked Town Meeting to support borrowing up to \$1.5 million, with the condition that state and federal funds would cover \$1.25 million of the price. The town's commitment would be dropped if the rest of the money did not come through. A representative of the Trust for Public Lands pledged

not to come back to the town seeking more money for the second phase.

The spending proposal dominated the pages of the *Enterprise* leading up to Town Meeting, and pieces of the proposal were still in motion at the last minute, including letters to the editor for and against the proposal, an all-out blitz by supporters of the project to answer questions and address concerns by residents, and game-changing new information about federal funding for the second phase of the purchase. On May 2, days before Town Meeting, Studds announced that Secretary of the Interior Bruce E. Babbitt had requested \$1.1 million in federal money to purchase the rest of the property in the coming fiscal year, an announcement that supporters seized on as improving prospects for the rest of the property to be purchased. It pays to have an effective legislator in a Congress that is functional and can make things happen. "It's fantastic news," Costa said. "It really answers a lot of questions about phase two being purchased in the year." Costa credited Studds, as well as Senators Edward Kennedy and John Kerry, for the initial success. However, the budget request would not fully cover the second phase, and getting approval for the request from the GOP-controlled House of Representatives was far from certain.

Town officials, led by Fudala and Conservation Agent Bob Sherman, meanwhile were working to reassure voters still concerned about the two-step process. The first property, which included the coastline and marshes along Jehu Pond, could stand on its own merits as a conservation project of great significance for the town, they said. Sherman said the 75 acres is not only the most vulnerable property on the acquisition list, it is "the crown jewel" of the entire refuge. A representative of the Trust for Public Lands, Badge Blackett, was also a mainstay at local meetings, making the case for the purchase.

At Town Meeting, residents on both sides of the issue spoke up. Caffyn articulated a mix of concerns, including the immediate loss of \$60,000 in tax revenue, shutting down prospects for future development, and concern for traffic from tourists newly attracted to the area. Fudala spoke in response, noting that hundreds of condominiums would produce far more traffic than the wildlife refuge. "Some people know the price of everything but the value of nothing," Fudala said.

Despite continued opposition based on both financial and procedural concerns, Town Meeting

proved more open to the environmental appeals. Needing a two-thirds majority, the motion passed 271 to 18, or 93 percent in favor. "Mashpee voters would rather pay a little more in taxes than let development proceed on Bufflehead Bay," was the lead in that week's edition of the *Enterprise*.

A few weeks later, on May 21, supporters of the refuge received more good news, this time about the second phase. The federal money earmarked in the well-timed announcement just before Town Meeting had received full approval. The news before Town Meeting was of a funding request from the Interior Department; now, however, Congress had approved the request. The refuge received \$918,000 for land purchases, an amount 14 percent less than originally requested by the US Department of Interior, but still a major victory for the new refuge at a time when federal money for land conservation had been drastically reduced. Other, similar funding requests in 1996 did not survive the final rounds of budget negotiations, a testament to the influence of Massachusetts legislators as well as the strength of the proposal. Studds called the announcement "an unqualified victory for everyone who has worked their hearts out for so long". Kennedy's office issued a press release calling the money a "breakthrough" for Mashpee that marked a major step toward purchasing the Bufflehead Bay property. Governor William F. Weld, a Republican, and Kerry, a Democrat, were also involved in pressing for the money.

However, as David Palmer of the Friends group noted at the time, politicians were not the only ones behind the effort. The citizen support expressed by the Town Meeting vote just a few weeks earlier also sent a message to Washington. "We kept saying that we needed to show the citizens were behind it, that there was a commitment on the part of the town. When there is, things begin to work. Others get encouraged," Palmer said to the *Enterprise*. In calling, writing, and faxing key legislators, he said, "We hammered away at the message that Mashpee had stepped forward, 271-18. 'What more do you want? We ask that you step forward.' The Town Meeting vote had a major impact on what happened yesterday."

Palmer sent a thank you letter to Gov. Weld, Sen. Kennedy, Sen. Kerry, and Rep. Studds, which he released publicly as well. "Without your help, we know the Interior Department budget would not have been so forthcoming," he wrote.

Blackett, for his part, acknowledged that the federal money, no matter the improbability or significance of the \$918,000 victory, remained insufficient to purchase all of phase two. So, he said, the Trust for Public Lands would continue chipping away at purchasing the whole tract, working their way inland from the phase one purchase around Jehu Pond.

It would take awhile, for there was a good deal more money to raise. Yet for this next stage, while supporters of the refuge found statements of support from a range of sources, what they did not find was much beyond such pledges. In August, the regional administrator

for the US Environmental Protection Agency held a listening session at WBNERR, and what he heard was a lot about needing money for Bufflehead Bay. The EPA official promised federal support and an interest in seeing it complete. In September, Governor Weld, now running to unseat Democratic Senator Kerry, sent a letter to town officials pledging state support for the towns' efforts to obtain federal funding for the refuge though leaving out any mention of state funds for the project. Here again, a turning point: How could our right people make their right thing happen?

## Bufflehead May 1996 Town Meeting Vote



*Congressman Gerry Studds with his successor, William Delabunt*



*Ed Baker (aka Mr. Mashpee River)*



*Mashpee voters, May 1996 Town Meeting debating Bufflehead Bay purchase.*



*Selectman Nancy Caffyn speaking at Town Meeting*



*Tana Watt making her point at May 1996 town meeting*

## Bufflehead May 1996 Town Meeting Vote



*Beverly Kane speaking at May 1996 Town Meeting where the town citizens voted approval of the Bufflehead Bay purchase.*



*Vernon Pocknett (Sly Fox), Chief of the Wampanoag Tribe.*



*Evelyn Buschenfeldt speaking at Town Meeting.*



*Taking a moment to celebrate the Bufflehead vote, several Friends of MNWR, Dave Palmer (President), Martine Meijering, and Tana Watt along with Badge Blackett from The Trust of Public Land.*



*Mashpee citizens voting on the on the purchase of the Bufflehead property.*



*Selectman George Costa (standing), Selectman Peter Dinizio*



*Chuckie Green speaking, Joan Avant Tavares behind*



*Planning Board Chairman Tony Ferragamo speaking*



## A NEW DEAL BETTER THAN THE OLD:

*In which we revisit Town Meeting*

Yet despite the broad coalition supporting this plan, the ground underneath it began to shift. Town officials instead were floating an entirely different plan to buy the property, reversing the big Town Meeting article approved in May. Costa now began to push the possibility of coming back to Town Meeting in October, with an article to rescind the \$250,000 vote from May and instead spend the same amount of money toward a different process that could end up netting the entire \$4 million property.

Costa's proposal proved prescient: in late August, news came from Washington that the US Department of Interior had rejected the federal grant on which the May Town Meeting vote had been based. That meant that the Town Meeting vote technically was moot, and the pressure now was shifted to October Town Meeting to figure out another path forward.

A few weeks later, more news came from Washington that again changed the outlook, this time for the better. The Cape Cod Times described the news this way: "West Falmouth's loss has become Mashpee's — and the rest of the Cape's — gain." A wildlife refuge proposed four years prior for the Sippewissett marsh area on Buzzards Bay in West Falmouth had fallen through because of a change in ownership of the property and concerns that the heavy human use of site made it not entirely suitable for a wildlife refuge, so Studds engineered the transfer of \$750,000 originally intended for a Sippewissett refuge to instead be spent on the Mashpee refuge, to be put toward the purchase of the Bufflehead Bay parcel. "When Congressman Studds sought the appropriation, he made it very clear, if it could not be used for the Sippewissett marsh refuge, he wanted those funds to be used for open space and habitat on the Upper Cape," Mark Forest said at the time. This federal support would be in addition to the \$918,000 approved in May, and so it would increase the likelihood that the two phases could be purchased as one.

Costa told the Enterprise that they had been waiting for this, "to put the whole package together," making the possibility of purchasing the entire parcel together more likely. However, given that refuge supporters

had just finished a full public relations blitz to capture Town Meeting support in May, the politics of coming back with a new plan would be tricky, even if it was in many ways a better offer. "Good luck in presenting this," Nancy Caffyn said when the proposal was first explained at a board meeting in early September.

As the October Town Meeting approached, the Enterprise and Executive Editor Janice Walford again came to the refuge's public aid. In an October 1 editorial, Ms. Walford, an articulate and dedicated supporter of conservation issues, explained that while the first plan had fallen through, "What replaced it is a far greater gift for Mashpee and the refuge." Kerry, Kennedy, and Studds had cobbled together \$918,000 from fiscal year 1996 and \$832,000 from fiscal year 1997, plus the \$769,000 reprogrammed from the Sippewissett refuge, for a total of \$2,519,000. The state had also pledged a \$250,000 self-help grant for the purchase. As a result of that new-found funding, the town could now spend the same amount that was approved in May, \$250,000, but it would go toward the purchase of the full 325 acres instead of just 75. The Trust for Public Lands reassured the town that any gap between the \$3,019,000 from all funding sources and the final price could be covered. The original price for the property was pegged at \$3.75 million. Again, if the federal and state revenue did not materialize, the town would not be on the hook for its portion. It was a deal/no-deal scenario.

There remained one other key uncertainty: what portion of the full property the town's money would be spent on, a determination that would not be made until after Town Meeting, following the results of three separate appraisals. But the Enterprise played down the significance of this variable. "As all of the 325 acres are to be purchased for the benefit of Mashpee residents, it seems, at the very least, a little ungrateful to quibble over not knowing until next month where the land Fudala has chosen is plus or minus an acre or two."

Meanwhile, amidst all the activity, a December 31 deadline was looming both for the town to apply for state aid for the purchase as well as the option held by the Trust for Public Lands to purchase the property. Overlooked was that October Town Meeting articles traditionally focus on zoning and administrative matters, leaving funding articles for May when the annual budget was approved. Town Meeting would again determine the fate of Bufflehead Bay, the centerpiece of the new refuge, and in a sense the future of the new refuge itself.

Could the partnership concept result in a joint purchase of a key property? As Costa put it that October, "The whole deal hinges on our Town Meeting vote."

Due to the 11th-hour developments in finalizing the pieces of the deal and the federal funding, there was no time for the Q&A sessions, public tours, letters to the editor, and other pieces of the publicity campaign used so successfully in May. However, the Board of Selectmen backed the article, and the Mashpee Finance Committee gave it its unanimous support. No coordinated opposition to the new article had emerged leading up to the Town Meeting.

So, despite the harried timeline, when it came time to show support for the new refuge, Mashpee was there. The vote was not even close, more lopsided even than the vote five months prior: 183 to 3 in favor. At the meeting Fudala asked for permission to have a representative from the Trust for Public Lands to make a presentation on the proposal, but the moderator, perhaps sensing that the article was destined to pass, declined the request. The only comments about the purchase came from Tana Watt, of the Friends of the Mashpee National Wildlife Refuge. Watt reminded voters of the sentiment from May that it would be better to simplify the purchase into one larger deal, rather than splitting it into multiple, smaller deals. Well, now was their chance. And they pulled through.

The purchase had been ensured before the New Years deadline, and the Trust for Public Lands closed the deal in March 1997. Yet the promised town and federal contributions and the state grant turned out not to quite add up, so the nonprofit Trust for Public Lands ended up fronting \$300,000 of its own money to cover the rest of the bill. In July of 1997, Studds's successor, Representative William Delahunt, engineered a deal in which the federal government approved \$332,000 to repay the Trust for Public Lands.

So it was that in 1997, the Mashpee National Wildlife Refuge had not only come into being but had managed to take a major bite out of the list of acquisition priorities identified four years ago in Fudala's Prospectus document. If the signing ceremony itself was a crescendo for the refuge, securing Bufflehead Bay was a second wave. The right group of people had managed to stick together through the right time to see their project through creation and completion. Fudala came to Mashpee to plan for the future. Costa saw a problem and imagined a solution. Moses, Melberg, and Varteresian helped drive forward an unconventional project. Gault

came to manage a newly designated Research Reserve and in turn, helped designate a new National Wildlife Refuge. Studds and Forest pressured and guided and found money. Green led the tribe from skepticism to support. Palmer, Walford, Blackett, and Peters, along with a host of many dedicated conservation-minded citizens played roles large and small in communicating a vision to the public, changing minds, committing to the hard work of such a huge project, keeping faith, supporting land conservation, solving problems, and re-solving problems in response to new circumstances.



## THE COLLABORATION ENDURES:

### *Into the 21st Century*

And so it is that today Mashpee and Falmouth are home to the Mashpee National Wildlife Refuge, the second largest conservation area on Cape Cod, behind only the Cape Cod National Seashore. In 2016 the Partnership Agreement was updated and renewed. The refuge partnership continues to support land conservation efforts. In 2008, nearly 80 acres near Mashpee Pond was acquired, and in 2016, with the help from the 300 Committee Land Trust, the USFWS acquired their first land in the town of Falmouth. Additional lands continue to be added in most years; a shift from an all-encompassing focus on preserving as much land as possible when the refuge was first established.

The refuge has provided an important focal point for cooperation between the Mashpee town and tribal governments in many areas, including working with state and federal wildlife officials.

In more recent years, the refuge partners have expanded their landscape-wide work on habitat management, wildfire protection, public use, access and educational programs. With the USFWS taking lead, collaborative and systematic efforts have been underway to put fire back into fire-adapted ecosystems such as pitch pine and scrub oak that are prevalent throughout the refuge. Utilizing prescribed fire and forest thinning practices to manage these habitats achieves a multitude of management objectives spanning from reducing hazardous fuels and the potential wild fire risk for adjacent communities, improving habitat for rare and endangered species such as New England cottontail rabbits and northern long-eared bats, and to enhance

forest diversity and habitat complexity that only fire can achieve. Fire transforms over-mature forests to new younger, healthier, and more diverse ecosystems, benefiting a diversity of wildlife and plants that require young forest and shrubland habitats to thrive.

Because of this innovative work, the refuge is host to research on and preservation for the New England cottontail, a native species that was once on the cusp of being placed on the federal Endangered Species List. To reverse this rabbit's decline, extensive habitat projects on refuge forested lands have been implemented to reshape them towards shrubland and young forest types, critical rabbit habitat. As a direct result of the Mashpee partnership and collaboration, and all of the great habitat management work that has been accomplished, the species was kept off the endangered species list. However, due to development outside of those refuge boundaries on Cape Cod and elsewhere in New England, suitable rabbit habitat exists only in isolated pockets. To protect and connect these patches, a new refuge was created in 2016 called the Great Thicket National Wildlife Refuge in New England: Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island and New York. The Great Thicket Refuge areas are critical for other species of wildlife too beside the New England cottontail. They will protect valuable habitat for other declining wildlife species along with many more common species such as deer, wild turkeys, wood thrushes, and numerous other songbirds dependent on young forest and scrublands.

The refuge partnership has also branched out into more habitat restoration efforts that include stream restoration for native sea run brook trout, river herring, and American eel, as well as creating pollinator habitat for the declining monarch butterfly and the rare frosted elfin butterfly as well as a whole suite of native bees and other pollinators

The Friends of the Mashpee National Wildlife Refuge, so integral in the early land preservation campaigns, slipped into inactivity as those campaigns became fewer and farther between. After nearly disbanding in 2004 and a period of inertia, the Friends rebounded in 2012. They restructured the "Wild about Wildlife" programs and received a capacity-building grant to start strategic planning with refuge partners to help plan for the future. This grant also provided funding to support pollinator initiatives, including a free technical workshop, in partnership with Waquoit Bay

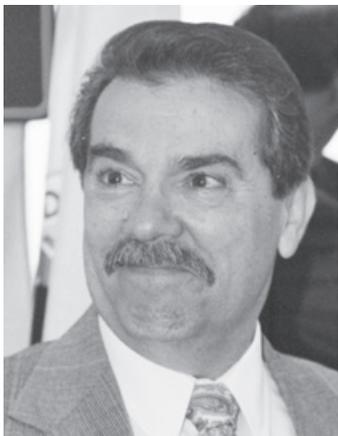
NERR, for local landscapers, researchers, AmeriCorps members, town conservation agents and homeowners. Additionally, these collaborations have led to public programs, teacher training workshops, school gardens, and empowering youth and the public to get involved.

With persistence and strong board leadership, the Friends in late 2018 are managing over \$50,000 worth of grants. These funding opportunities include an on-going monarch-native pollinators grant funded by the USFWS Partners for Fish and Wildlife Program that supports their work in creating 7 acres of flowering meadows for monarch butterflies and other threatened pollinators in collaboration with the Falmouth Rod and Gun Club and the Town of Falmouth. Other grants provided funding for a new refuge trail map guide and this refuge history document. On all levels, collaboration is the backbone and strength of this refuge partnership. Lastly, as the saying goes, "it takes a village to raise a child," so too does it take the continuous support and participation of the community for a successful refuge and Friends organization. There will always be change and need for new participation within the Friends volunteer board. Your participation is critical to the success of this small nonprofit group. Their motto of "Get Involved, Make A Difference" rings true and essential for our local community.

As we near the refuge's 25th anniversary in 2020, refuge partners are earnestly pursuing a visitor center to showcase this dynamic refuge, as was envisioned from the beginning. So, onward this wild dream that George Costa started continues.

As of this writing, the core group is also in transition. Costa, Studds, and Palmer have passed away; Forest, Melberg, and Varteresian have moved on. Moses, Gault, and Fudala have retired; Green is still involved in environmental issues on behalf of the now federally recognized Mashpee Wampanoag Tribe. Although the founders are scattered now, they are forevermore linked by their common cause and the legacy of this refuge as the right people in the right place at the right time to create and pass along the gift of the Mashpee National Wildlife Refuge.

## IN THIS RIGHT PLACE, AT THIS RIGHT TIME: THE RIGHT PEOPLE



**GEORGE COSTA**  
Mashpee Selectman



**F. THOMAS FUDALA**  
Mashpee Town Planner

Costa, born and raised in Falmouth, described himself as a "native Cape Codder with sand in my shoes." He was elected to the Board of Selectmen in 1992 and served on the board as chairman until 1998. He was a visionary who wanted to save the rural and wild Cape Cod that he had known as a child. He was willing and able to engage in the politicking and connection-making needed to make the refuge a reality. And he had great people skills, a personality that was open, welcoming and willing to listen. For all his efforts, Costa won a US Environmental Merit Award, a US Fish and Wildlife award, and the Cape Cod Award. George passed away in 2005 at the age of 63:

*"I don't want anybody to think I did this alone, because there were hundreds of people involved in this," George Costa*

*"And George was trying to figure out how the heck are we going to going to be able to afford to buy this property [Bufflehead Bay]. And John [Friel] suggested, 'Hey, you know what, you should try to get a national wildlife refuge designated, you could have a visitor's center and everything to build up this tourist business,' So that's where George got the idea of the wildlife refuge. George had been, or was, a good friend of our Congressman Gerry Studds. He had actually campaigned for Gerry ... And George was also a good buddy with Senator Kennedy, he had worked as a security guy for Teddy Kennedy's campaign." Tom Fudala*

*"George visualized a problem and he also visualized the solution to the problem. The problem he was visualizing was over development of wildlife habitat. And having gone through an awful lot of it, it was certainly 85% developable in essence. ...so George certainly had the vision of what kind of a headache it could be for the community had that been overly developed. George was a great guy to work with, very laid back, not a pushy individual, somebody that would listen. And that's so important when you're trying to do what he was trying to do." Ed Moses*

Tom Fudala grew up on the outskirts of Manchester, NH, where he spent countless hours playing in the fields, forests and streams. He studied architecture and urban history at the University of Pennsylvania and received his Master's in city planning from Harvard in 1974. He first worked for the Office of the Secretary of Transportation in Washington, then as a Planner for the City of Manchester, NH., and then at Teton County, WY. Moving back east in 1984, he was hired as the Town of Mashpee's first town planner at a time when the town was experiencing development at a rapid pace. Committed to the cause of land preservation, Tom helped preserve large, important tracts of conservation land. He was driven to take on the details of policy and planning work that would shape and define the refuge. Tom retired in 2018 after 33 years of service.

*"This was going to be a new kind of refuge because everybody's hurting for money, so hey, we'll do a refuge here through a whole bunch of partners and it was the first refuge of its kind where there were multiple parties involved that would own land and agreed to cooperate through this Memorandum of Understanding between parties." Tom Fudala*

*"Tom was an important person in town hall. It's great to have the support of Selectmen, but you need someone who's got the grasp of all the facts that understands the properties, understands the part, sort of, on the ground, understands the details in terms of what's going on, the properties that are the most threatened and need to be protected. And Tom has played a very critical role, I think, in this whole effort from the very beginning up until today. And he's definitely an MVP in all of this." Mark Forest*



**GERRY STUDDS**  
U.S. Congressional  
Representative, chairman of  
the Merchant Marine and  
Fisheries Committee



**MARK FOREST**  
U.S. Congressional Aide

Congressman Studds was a United States Congressman representing Massachusetts (South Shore, Cape Cod and the Islands) from 1973-1997. Congressman Studds was highly respected on the Cape and in Washington and used his knowledge and perception of the importance of a local project in a regional context. He was experienced with and supportive of environmental policy and projects, and had the connections within the US Department of Interior and on Capitol Hill to make things happen. Congressman Studds passed away in 2006 at the age of 69.

*"This refuge is a national model for the future of the refuge system because it will adopt a cooperative approach to protecting state, town and federal lands for wildlife conservation." Gerry Studds*

*"Well, without Gerry [Studds] it would not have happened because he did so much to pull together the federal folks... when we sat at the table at the beginning, it was like, "There's no way this will work. All of the higher ups were just totally thinking that it could never work putting feds, private land owners, towns, and the state all together in one big pot. It's been an incredible return." Chuckie Green*

*"I have one image, one memory I'll never forget, Chuckie Green remembers. We all took a big trip, we had this huge entourage, Studds wanted to basically hear from everybody to get them to all confirm their interest in doing this. So I think it was '92, '93, we had the highest level ranking officials from the Fish and Wildlife Service, we had the town officials... so we had Gerry Studds dressed up in his suit and tie, standing on top of a dune at South Cape Beach looking back over the crowd, saying, 'Well what do you think? Do we want a refuge?'" Mark Forest*

For years in Washington DC, Mark served as a top aide to Congressman Gerry Studds. He also served as chief of staff for Congressman Bill Delahunt. With Studds and Delahunt, Mark played a key role on a number of critical environment initiatives, including the cleanup of pollution at the Massachusetts Military Reservation, the designation of Stellwagen Bank as a National Marine Sanctuary, the establishment of the Waquoit Bay National Research Reserve, the creation of the Mashpee National Wildlife Refuge and establishing the 15,000 acre Upper Cape Water Supply Reserve - the largest land protection initiative since the creation of the Cape Cod National Seashore. Currently, Mark teaches American Government and International Relations at Cape Cod Community College.

*"... I think the most exciting times were leading up to 1995. ... it was an attempt where we were trying to get the Fish and Wildlife Service to step up because they were the only federal agency... that we could really get to play a role in protecting this land ... that could really play a role in helping the Cape, particular Mashpee, deal with all this development pressure..." Mark Forest*



**CHRISTINE GAULT**  
Manager of Waquoit Bay  
Estuarine Research Reserve

Christine was the Manager of the Waquoit Bay National Estuarine Research Reserve (WBNERR) for 16 years. All pre-refuge meetings were held at WBNERR where the diverse group of partners met. Christine was instrumental in facilitating the meetings, keeping the group moving together and forward by organizing meetings on critically-based decisions, making sure everyone had their say throughout the process and the final decisions were clear and cooperatively agreed upon.

Christine has had a life-long interest in protecting the environment through the application of science to coastal management, inspired by her childhood growing up on Sanibel Island, Florida. Christine moved to Falmouth in 1989 to become manager of the newly designated WBNERR, and to develop the research, education, stewardship, policy and volunteer programs. Prior to this she was the first director of the Maryland Jug Bay Wetlands Sanctuary on the Patuxent River. She holds three Master Degrees: environmental science, public affairs in environmental policy, and education. She retired in 2005.

*"So part of my job was to moderate and make sure that everyone felt heard and everyone felt seen, you know if anyone felt they were being overtaken by anyone else or ignored, the politics of it." Christine Gault*



**CHUCKIE GREEN**  
Current Assistant Natural  
Resources Director,  
Mashpee Wampanoag Tribe

Chuckie has extensive experience with both tribal and local government in his many positions within the tribe and as a Mashpee town selectman. He gained the support of the tribe for the refuge creation despite widespread initial skepticism and through the years continues to work with federal government agencies and hosting the annual tribal youth camp "Preserve our Homeland" POH. Chuckie holds a strong and lasting commitment to the preservation of conservation land and wildlife habitat in his homeland of Mashpee.

*"Chuckie had us attend a [tribal]meeting at the meeting house, it was a very confrontational meeting...there was a lot of mistrust in federal government, and a fairly loud vocal responses from some of the tribe members. And Chuckie, was able to explain the process, explain that that they could trust the Fish and Wildlife Service...and to support the project that night, which was an amazing feat. So, I have to give Chuckie a tremendous amount of credit to do that. So, it was a big step getting the tribe involved, because they're a federal partner of ours, being federally recognized and they're important for us.' ..." Carl Melberg*

*"The only reason the refuge has worked is trust, people trusting each other not to be trying to hurt each other but trying to work together." Chuckie Green*



**CARL MELBERG**  
Current Regional  
Transportation Coordinator,  
US Fish and Wildlife Service  
(USFWS)



**ED MOSES**  
Refuge manager of the Great  
Meadows National Wildlife  
Refuge Complex, Region 5,  
U.S. Fish and Wildlife Service

Carl was the first official USFWS staff involved with creating the Mashpee refuge, along with Mary Varteresian. Carl and Mary were frequent visitors to the area, in pursuit of information, input, and support and was present at every public meeting. He was open-minded to the idea of a multi-party refuge agreement and as he moved the unique project along. He coordinated local support and actively engaged the Mashpee Wampanoag Tribe to earn its support while gaining support from the skeptical Fish and Wildlife Service bureaucracy.

Carl Melberg graduated from the University of Massachusetts with a BS degree in forestry then began his career with the Defense Mapping Agency in Washington, DC, has worked for the Corps of Engineers in Florida and New England as a project Manager. In 1991 he transferred to work with the U.S. Fish and Wildlife Service and helped establish five national wildlife refuges, including the Mashpee National Wildlife Refuge. He is currently is the USFWS Regional Transportation Coordinator, responsible for public access to roads, trails, and waterways.

*"Because what we started to see was that there was a partnership down here, that it was more than just like one piece of land that the Fish and Wildlife Service might be interested in. The actual proposal included lands owned by the towns of Mashpee and Falmouth, and they kind of laid out these different groups. So that kind of drew our attention because now all of a sudden it turns from this one little parcel into a fairly large acreage."*  
Carl Melberg

*"Each step that we took, and like I said, Carl Melberg was pretty incredible; supportive guy to stick himself in a tribal environment and help me convince people that it was probably the best thing for us."* Chuckie Green

From his many years and positions within the USFWS, the Mashpee refuge proposal with its diverse partnership concept was not new to Ed and he wholeheartedly embraced the effort. It was, though, a totally new experience for FWS personnel. Ed saw it as an opportunity, for large acreage of important wildlife habitat to be protected from development something FWS funding, acquisition fees, could not accomplish. He was instrumental in helping to shift the USFWS support from the Sippewissett refuge to the Mashpee National Wildlife Refuge.

Ed attended the University of Massachusetts at Amherst, graduating with a BS degree in wildlife biology in 1962. In 1963, he became the assistant refuge manager at the Erie NWR, then in 1965 held the same position at the Iroquois NWR. In 1966, became the refuge manager of Great Meadows & Monomoy NWRs in Massachusetts, at age 26, was the youngest refuge manager in the national wildlife refuge system. In 1969 he accepted the job as a refuge manager of the Parker River NWR and in 1974 took the position of assistant regional refuge supervisor in the Northeast region 5. In 1988, he moved into the position of refuge supervisor where he formed the Great Meadows National Wildlife Refuge Complex. Ed retired in 1997 after 34 years of service.

*"So, when you've got a situation in which you have diversity of habitat, like was evident at Mashpee, tidal areas, salt marsh, uplands, the whole spectrum is there. Then you've got a complete listing of all the species that frequent that portion of Cape Cod are dependent upon that habitat. And whenever you can take a large chunk of that and make it unavailable for development and disturbance, you've made a major contribution to the perpetuation of all those species of wildlife. And that's the value of Mashpee, in essence."* Ed Moses



**MARY VARTERESIAN**  
Acquisition Biologist,  
US Fish and Wildlife  
Service Realty Office-Land  
acquisition (USFWS)

Mary was the lead biologist, working with Carl Melberg in the land acquisition office in Hadley, Massachusetts, when they first began investigating the prospect of establishing the Mashpee refuge. She and Carl were frequent visitors to the area, in pursuit of information, input, and support and was present at every public meeting. Her role in writing the Environmental Impact Statement (EIS) for the refuge was instrumental as this document is critical in the USFWS procedures within the refuge national system.

Mary began her professional career with the USFWS after college in 1987. She worked at Great Meadows National Wildlife Refuge for four years, before transferring in the office of realty as an acquisition biologist. Mary worked on many projects helping to protect lands in MA, NJ and CT. She enjoyed working on the Mashpee NWR project and was very impressed and honored to work with so many wonderful supportive people.

*"Fish and Wildlife is trying to do more with less money and less people, so that involves cooperation with others." Mary Varteresian*

#### *Photography Credits*

*We are grateful to the following individuals who have generously contributed wildlife, landscape, and 1995-1996 event pictures for this publication. Those special folks are: George McLean, Andy Jones, Andrew McManus, Kourtnie Bouley, Bill McKay, and The Mashpee Enterprise: Janice Walford, Paul Ott, Jim O'Hara.*

*George Mclean: fox (front cover), kingfisher  
Bill McKay: fox, turkey, bald eagle  
Andrew McManus: box turtle, Pine Barrens forest (burned)  
Andy Jones: herring  
Kourtnie Bouley: New England cottontail  
Janice Walford, Paul Ott, Jim O'Hara-Black & white 1995 MOU ceremony and Bufflehead Bay vote*

## SELECTED QUOTES FROM KEY PEOPLE IN THE CREATION OF THE MASHPEE NATIONAL WILDLIFE REFUGE (MNWR)

*Between 2011-2018 we interviewed seven people whose role was pivotal in creating the Mashpee NWR, representing the 8 organizations that eventually signed the 1995 Memorandum of Understanding, a nonbinding agreement between these new refuge partners. Those people interviewed were: Mark Forest, Tom Fudala, Chuckie Green, Christine Gault, Carl Melberg, Ed Moses, and Mary Varteresian.*

### KEY REFUGE PEOPLE & CONNECTIONS:

"The heavy lifting was done by Mashpee, the heavy lifting in other areas [refuges] is done completely by Fish and Wildlife Service. And its night and day between the two processes, when you've got a community that's pushing for something then it's a heck of a lot easier to get something like that established...I mean there will not be another situation like Mashpee. I think I'll go on record to say that right now, there will not ever be another situation of establishing a national wildlife refuge because of the people involved as the Mashpee project was because you had the alignment of the congressional folks. And they're going to swing behind something if the local community is a hundred and ten percent behind it." - *Ed Moses*

"And George was trying to figure out how the heck are we going to going to be able to afford to buy this property [Bufflehead Bay]. And John [Friel] suggested, "Hey, you know what, you should try to get a national wildlife refuge designated, you could have a visitor's center and everything to build up this tourist business," So that's where George got the idea of the wildlife refuge. George had been, or was, a good friend of our Congressman Gerry Studds. He had actually campaigned for Gerry ... And George was also a good buddy with Senator Kennedy, he had worked as a security guy for Teddy Kennedy's campaign." - *Tom Fudala*

"So, we knew that if we could figure out a way to create a refuge in Mashpee, it was going to a bit of an uphill battle because the Selectmen would probably not be in favor of it. And then all of a sudden George Costa comes along and then they start to realize that, 'hey, wait a second'." - *Mark Forest*

"June 19, 1993, before anything went on with the Fish & Wildlife Service people ...Teddy Kennedy was running for re-election and President Clinton came down to Boston for a rally for Teddy... George and I went, and we brought with us a letter addressed to President Clinton... about this refuge proposal and how we'd really appreciate his support... We got ourselves up front in the handshake

line... I shake hands with President Clinton, give him the envelope. And you should have seen the Secret Service guys were like ready to shoot and they gave me the eye, but he took it, put it in his pocket. And sure enough about a month later we got a letter from the Fish and Wildlife Service, the Regional Director in Hadley, saying 'Hey, yeah okay we're interested in doing a refuge.' And that's when we got Carl Melberg and Mary Varteresian and Ed Moses involved in developing the proposal." - *Tom Fudala*

"The biggest challenge in getting the refuge off the ground was making sure that we had all the support at all the key levels. The state legislatures were supportive, the selectmen were supportive because of George's work. You know you had the right support within town hall, with Tom Fudala making sure that it was there along with George. And at the federal level, Studds' support was key, because if he, as chairman of the committee, was behind it then he would bring all of the political support at the federal level." - *Mark Forest*

"Typical of what Tom added as a planner, "The best development is no development' many times. 'Look it's best to leave this land in an undeveloped state.' ... That was the theme that Tom, I'm sure, was harping upon on all the public meetings that they were holding down there, because it's again just the old statement, The best development is no development." - *Ed Moses*

"So we put together this Memorandum of Understanding, that included the Mashpee Wampanoag Tribal Council, even though we specifically excluded their land from the refuge because it was felt we did not want to offend the tribe by having them think there was going to be any kind of federal control over their cultural heritage...this was all the Mashpee Wampanoag territory was the reason they were included and why it was named the Mashpee National Wildlife Refuge." - *Tom Fudala*

"Now you realize that there are usually a handful of people in these stories that end up showing up in interesting places... At the time we worked on this, also on Studds' staff ... was a guy named Dan Ashe, Dan is now the Director of the Fish and Wildlife Service. Dan's dad happened to be Bill Ashe...who at that time was the Regional Director of the Fish and Wildlife Service; he was an incredible character. One of the most dedicated servants I've ever met, a very powerful voice for conservation." - *Mark Forest*

"Ed [Moses] was the youngest refuge manager ever to come into Fish and Wildlife Service. He was a tough, tough, tough, manager; he was really old school. And ... he had the foresight to buy into this whole idea of a partnership refuge, which was so new to Fish and Wildlife Service. And he dove in on all fours and totally supported it. And if he hadn't supported it at the time, it probably wouldn't have gone anywhere, so I got to give Ed a lot of credit." - *Carl Melberg*

"There's an awful lot that went on behind the scenes before I became involved. Our deputy regional director at that time was an individual by the name of William Ashe. And William Ashe's son Dan Ashe, was a staff person for Congressman Studds while he was Chair of the Merchant Marine and Fisheries Committee." - *Ed Moses*

"So part of my job was to moderate and make sure that everyone felt heard and everyone felt seen, you know if anyone felt they were being overtaken by anyone else or ignored, the politics of it." - *Christine Gault*

"I spoke with the tribal body a couple of times about, 'Okay, we do this, or this happens.' So a part of it was keeping open our tribal hunting and fishing rights. So we have a place to do our practices and to harvest plants, medicine plants, and food plants that were traditional to us." Since '95, the friends that I've made, just personally, is such a benefit that I would've never have been able to experience without the refuge." - *Chuckie Green*

"Studds is the congressmen that lend his hand and his support to the effort, but it was really, I have to give all the credit to the CPWB, Matt Patrick, Trout Unlimited and those folks for really helping make it all happen." - *Mark Forest*

"I was assigned to the project...so I started meeting with the town and reached a point that we said, 'You know this is kind of an interesting project, maybe it's worth us taking a look'...because what we started to see was that there was a partnership down here that it was more than just like one piece of land...So that kind of drew our attention because now all of a sudden it turns from this one little parcel, into a fairly large acreage...this was totally foreign to Fish and Wildlife Service to work in a collaborative partnership; we typically work on our own [Agency]...so it took a lot of work on my part to try and get buy in on this." - *Carl Melberg*

"Each step that we took, and like I said, Carl Melberg was pretty incredible; supportive guy to stick himself in a tribal environment and help me convince people that it was probably the best thing for us." - *Chuckie Green*

"David Palmer was a friend of George's and a friend of Jean ...and originally I knew him as a big supporter of protecting the bay and of CPWB [Matt Patrick was the Executive Director of CPWB before he became Selectman and then state rep]... David became, in effect, a creator and the lead spirit in the Friends of the Mashpee National Wildlife Refuge. He was a retired stock broker, a very rich guy...and very well organized, and so he created the organization along with a number of people. And at that time the biggest role of the Friends up until David left ...was on getting more land protected, and so he got everybody organized to get the town meetings and speeches and that's how the big chunk, the Mingo Property got bought." - *Tom Fudala*

"Paul Ott was a very good reporter for the Mashpee Enterprise. And of course, I mean Bill Hough, the owner of the Enterprise, who's been very supportive of the refuge and land protection itself, you can always expect support from the newspaper. Another person who deserves a lot of credit, Janice Walford, editor of the Mashpee Enterprise from its beginning until just a couple of years ago. And she was a big supporter of environmental protection and the refuge and open space." - *Tom Fudala*

"So I would say that the pieces really started falling into place in the early '90's with Studds being chairman, George [Costa]being on the board of Selectmen. Obviously, the activism of the CPWB [Citizens to Protect Waquoit Bay] and some of the other local groups was never waning, it was always strong. WBNERR [Waquoit Bay National Estuarine Research Reserve] had been established by then and clearly everybody was sort of chomping at the bit, okay what's the next big project and this sort of fit nicely." - *Mark Forest*

## CONSERVATION & PARTNERSHIP BENEFITS:

"Another sort of distinctive thing about this [establishing refuge boundary], is in general it was all little pieces cobbled together; bunches of little pieces cobbled together, but no piece was too small almost." - *Christine Gault*

"People were becoming increasingly environmentally conscience because of the pollution problems out of the base and the need to protect water supplies, because that's where the refuge fits. So if we're going to have any chance of helping save the town in its long term future, land is vitally important in all of these, because the land is critical not only to protecting the coastal resources and preventing nutrients from overwhelming the quality of our water, but our drinking water supply is incredibly reliant on healthy and well protected watersheds. So, one way to help acquire the land that's critical from a water supply point of view was to create a refuge. And you'd be amazed at this, is that is still not that well understood here on Cape Cod." - *Mark Forest*

"So, the refuge became a commitment on the part of the refuge partners, so it's a fairly unique creature." - *Mark Forest*

"I think that's the story of this whole refuge, people ask me all the time, .... it's built on trust. And I think that's how, without getting any deeper into how it all works, I think the trust factor between all the different people have kept it together ... " - *Carl Melberg*

"...but you've got to understand that had to be a major trust on the Fish and Wildlife side of swinging behind this project." - *Ed Moses*

"The only reason the refuge has worked is trust; people trusting each other not to be trying to hurt each other but trying to work together." - *Chuckie Green*

"There's one thing that we can learn from the creation of the Mashpee National Wildlife Refuge is the critical importance of local support, community involvement, dedicated citizens that support such initiatives, having also, support from local Selectmen, local officials. And then to sustain these things requires an enormous amount of cooperation involving organizations like the partners, partners that have come together to support this enterprise. So, it was sort of like an incredibly timely confluence of things. If Studds did not become chairman, it would not have happened because he had the political juice to see to it that the support was there at every level of the bureaucracy." - *Mark Forest*

"Oh, they [Friends group] were an incredible group when it came to acquisition. When they first started, acquisition was their mission and they were incredible but as the funding dried up and their enthusiasm dropped, they kind of fell apart. But I mean MaryKay has done a fantastic job at yanking the crew back together and getting things started again." - *Chuckie Green*

## RESOURCES:

1. These interviews and transcribed documents are available at the U.S. Fish and Wildlife National Conservation Training Center (NCTC) online achieves: <https://fwslibrary.on.worldcat.org/search?databaseList=638&queryString=mashpee+national+wildlife+refuge>
2. Friends of MNWR webpage link: [www.friendsofmashpeenationalwildliferefuge.org](http://www.friendsofmashpeenationalwildliferefuge.org) and facebook link: [www.facebook.com/Friends-of-Mashpee-National-Wildlife-Refuge/162706183792252](https://www.facebook.com/Friends-of-Mashpee-National-Wildlife-Refuge/162706183792252)

## Thanks & Acknowledgments

*I thank the many people who have created and nurtured this refuge, those who started this wild dream in the 90's and those who will continue to foster this refuge into the future..*

*For starters, I thank the Town of Mashpee Community Preservation Act Committee for funding this project and for encouragement throughout the process.*

*Thanks to those individuals who freely shared their stories about the early years in the refuge creation in several interviews: Mark Forest, Thomas Fudala, Christine Gault, Carl Melberg, Chuckie Green, Mary Varteresian, and Ed Moses. These audio interviews were transcribed by the US Fish and Wildlife National Conservation Training Center (NCTC) where they are stored and available online in the NCTC archives. Thanks to Christine O'Neill for her involvement in conducting these interviews; it was not easy to wrangle a meeting with all these busy and dedicated leaders.*

*I am grateful to Brian Kehrl who successfully captured all the stories and characters in this history document. Brian's dedication and attention to detail encapsulates this unique story and those special people involved.*

*Thank you to the citizen activists and conservation organizations that early in the 80's and 90s, with determination, sought to preserve land in the towns of Falmouth and Mashpee. Thanks to:*

- Citizens to Protect Waquoit Bay (CPWB)*
- The Compact of Cape Cod Conservation trusts, Inc., Mark Robinson.*
- Fran Smith along with Trout Unlimited volunteers in their work to restore the Quashnet River fisheries.*

*Friends of Mashpee National Wildlife Refuge, Inc. This appreciation extends to past and current individuals, officers and committee memberships who have and continue to provide support to refuge partners while tirelessly advocating for the refuge in the last 24 years.*

*Congressional and local representatives and selectmen that include Gerry Studds, William Delabunt and their aides, as well as State Representatives Thomas Cabir, Eric Turkington, Matt Patrick, and Mashpee Town Administrator Robert Whritenour and many others. As George Costa said of those contributing to the refuge, "...there were hundreds of people involved in this."*

*Thanks to the eight organizations composing the Mashpee Refuge Partnership, along with those individual staff members, past and current, involved in refuge management. Their dedicated leadership and excellent collaboration, with respect, humor and trust is a true testimony to this refuge's continued success. It's been a great honor to be part of this team.*

*The Enterprise Newspaper provided extensive coverage of the refuge throughout the years. Thanks to the contribution of, to name a few: Bill Hough, Janet Walford, Paul Ott, Brenda Sharp, Brian Kehrl and Sam Houghton.*

*Thanks to Susie Perry for her graphic design talents and patience with this project.*

*And lastly, thanks to my husband, Bruce, who offered years of support as I took on the many challenges in reestablishing the Friends organization.*

*Sincerely,  
MaryKay Fox  
Friends of Mashpee NWR*



**MARYKAY FOX**  
Friends of Mashpee National Wildlife Refuge, Inc.

Since 2004, MaryKay has been on the Board of Directors for the Friends of Mashpee National Wildlife Refuge, Inc., President from 2011 thru 2018, and now the Treasurer. She has been advocating for pollinators since 2009 and instrumental in the creation of several native pollinator gardens within the refuge. Currently in 2019 she is managing a Monarch Butterfly Habitat grant with the US Fish and Wildlife Partners for Fish and Wildlife and two grants with the town of Mashpee CPA Committee to produce a new Refuge trail guide and this Refuge History documentation.

MaryKay came to the Cape in 1999 from Minnesota to work at the Marine Biological Laboratory (MBL) Ecosystem's Center after finishing her BS in Fish and Wildlife Management and Masters in Water Resources. She volunteered at several wildlife rehabilitation organizations and worked at the National Marine Life Center rehabilitating their first patient, a cold-stunned Loggerhead sea turtle. She finished her working career at the Waquoit Bay National Estuarine Research Reserve, retiring in 2013.

*"Ob, they [Friends group] were an incredible group when it came to acquisition. When they first started [90's], acquisition was their mission and they were incredible but as the funding dried up and their enthusiasm dropped, they kind of fell apart. But I mean MaryKay has done a fantastic job at yanking the crew back together and getting things started again." - Chuckie Green*

**BRIAN KEHRL**  
Writer and Editor

Brian H. Kehrl is a teacher and writer. He spent 8 years at The Mashpee Enterprise as a reporter and managing editor, covering many of the environmental issues that the Mashpee National Wildlife Refuge was created to forestall. He was familiar with many of the players involved in the creation of the refuge, as well as the specific geography of the area, and cares deeply about the region and its wildlife.

After leaving the Enterprise, Brian transitioned into education where he is an English teacher, the head of the English department, and the coordinator of the journalism program at Mashpee Middle High School, which is bordered on two sides by refuge property. He lives in Cotuit, a few miles from the refuge, with his wife and four children.

