

Oral History Cover Sheet

Name: Tom Fudala

Date of Interview: June 20, 2015

Location of Interview: Mashpee Area, Massachusetts

Interviewer: Christine O'Neill

Brief Summary of Interview: Tom Fudala started at the Mashpee Town Planner in 1984 and was tasked with acquiring open space for the town of Mashpee. He was one of the main contributors in getting the Mashpee National Wildlife Refuge established. He focuses on how the refuge got started, obtaining open spaces, and others who played key parts.

CHRISTINE: So why don't you start by just telling me a little bit about yourself and your background.

TOM: How far back?

CHRISTINE: Anything that's relevant to the refuge.

TOM: Relevant to the refuge is I've been the Mashpee Town Planner since 1984. And one of my principle jobs in say the first twenty years of my career was acquiring open space for the town, negotiating deals and getting appraisals. And the first big project actually was the Mashpee River Woodlands, which people wanted to protect; the Mashpee River had contamination problems, there's evidence of fish kills due to low oxygen events way back to the '70's and there had been various attempts to protect it. The state was going to buy the property in the mid-70s, but it fell through because of the Indian land suit. In 1985 there were two Selectmen B. Jean Thomas and Dick Terry who renewed the effort. Particularly Dick, since he lived across the street from the property that was the biggest chunk of land on the Mashpee River. There was a developer, Earl Marsters, who was going to turn it into a golf course and two hundred and thirty homes. This is very similar to the story of the Refuge, but in this case it was on the Mashpee River. Dick Terry was used to walking the property and enjoying the river. The Selectman had me put together a Self-Help application to the state to get state assistance to help buy the land and I did. I also put together a "prospectus". I actually got the idea from a guy named Wesley Ward from The Trustees of Reservations, "You should put together a

prospectus about how wonderful this Mashpee River corridor is."

CHRISTINE: I'm sorry, who was the—?

TOM: Wesley Ward. He worked for The Trustees of Reservations. So he gave me this idea to do a prospectus, and so I put together this neat book about the river and history and all the rest.

Apparently it sold like hotcakes up at the state and we ended up getting the biggest Self-Help grant in the history of the state.

CHRISTINE: Wow!

TOM: Two million dollars for that particular property and they ended up giving another one million for the west side of the river and three hundred and twenty-five thousand of Federal Land and Water Conservation Fund money too. So we managed to get three and a quarter million dollars, three million, three hundred fifty thousand I guess towards the price; it cost the town about seven million dollars but more than half of it was state funds. So that was my first big project working for the town. The town had done one previous big conservation effort with Self-Help funds from the state and that was at Johns Pond Park it's called, at the head of the Quashnet River. And that was mostly Jean Thomas. And at that time the town was growing like crazy with development. We were the fastest growing town in New England, 600 building permits a year. And the people that had been around for a while saw the whole town that they knew disappearing basically into subdivisions.

CHRISTINE: Is this '85?

TOM: In that area, '85 into early '90's. And they were very supportive, at the Town Meeting, the people were very supportive of buying as much open space as we could. As a matter of fact, based on polls, the town voters still are. So the town bought a lot of land, then got the state involved because they were very interested in the South Mashpee Pine Barrens for threatened species, particularly Pine Barrens buck moth. And these Pine Barrens are sort of a unique habitat in Massachusetts between here and the military base and Plymouth, basically the only place you get these things. And so we got the state involved in that. They bought a bunch of chunks of land down there, The Nature Conservancy bought some land down there; we worked with them on that, Mashpee Pine Barrens project. We then came to the Quashnet River, there's a group called Trout Unlimited and particularly a fellow named Fran Smith who's a plumber in Falmouth, but had been working since the mid-'70's to restore the sea-run brook trout fishery in the Quashnet River that had been a very famous fishery. I mean Daniel Webster fished there and that had been written up in all the fly fishing books and these guys are all fly fishermen in this Trout Unlimited group. That became the next big project, we created what was called the Quashnet Coalition, a bunch of environmental groups and Trout Unlimited managed to convince the state to spend ten million dollars to buy up about 280 acres on the Quashnet River. It's an interesting process because we got, actually managed to have the state legislature actually send their sub-committee down, the committee on local affairs or something like that. They actually had a legislative hearing at Mashpee Town Hall. And I'll never

forget one of the elders at the Wampanoag Tribe, a guy named Vernon Pocknett.

CHRISTINE: Sorry, can you spell that?

TOM: Vernon, VERNON. Pocknett, POCKNETT.

CHRISTINE: Okay.

TOM: His Indian name is "Sly Fox," and he later became the Chief of the Tribe. (He was a friend of mine, one of the first people I ever met in Mashpee, over homemade beers at Judy and C Mills' place.) But he just made this incredible speech, just blew everybody away at that hearing. He said he had just come from Mashpee Pond next to the head of the river there and the gulls starting talking to him, those had to be protected; had the legislators mesmerized. But an incredible performance, you know I actually talked to him after, "What a great job you did." And he just looked at me and didn't say anything, like he was still in some spiritual place. There was a fellow named Matt Patrick, who later became a Falmouth Selectman and then our state rep., at that time he was just a trout fisherman, but he was one of the leaders of this Quashnet Coalition. Any case, we managed to get the Quashnet River protected and in the meantime the town was doing a lot of little bits and pieces here and there to add to the Mashpee River corridor protection. And then we hit the 1990s recession and all a sudden there was no money to do any more land acquisition. And there was also another Selectman who's the key to the Mashpee Wildlife Refuge story, George Costa.

CHRISTINE: Right, okay, awesome.

TOM: And George was in the habit of walking on a property that was slated to become the Bufflehead Bay neighborhood of New Seabury, another golf course, 18 maybe even double golf course and hundreds of homes wiping out this whole area. And he wanted to protect that somehow.

CHRISTINE: It was going to be sold to New Seabury?

TOM: No, they owned it.

CHRISTINE: Oh, they owned it and they were going to develop it. I see okay.

TOM: Yeah. And I've got a set of plans and everything for going forward, similar to the Mashpee River story. It's the only reason I brought it up because it was sort of the same deal. And he had a friend named John Friel. John Friel worked for the General Services Administration and was also on the local zoning board of appeals. And George was trying to figure out how the heck are we going to going to be able to afford to buy this property. And John suggested that, as the town was starting to promote itself as a green community to visitors and all, John 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," which has never happened. So that's where George got the idea of the wildlife refuge, and since I've been doing this stuff all along, he came to me to help put together another prospectus, which is this document. (I showed Christine the Refuge prospectus)

CHRISTINE: Awesome.

TOM: And proposed Mashpee National Wildlife Refuge, it just says Mashpee, didn't have its name yet, but I did the document and I can actually scan it and give you a copy of it. Interesting enough, the original proposal was for a smaller property. This is the Bufflehead Bay property and George lived over here and that's where liked to walk. All of this was going to be a big golf course development. (looking at maps in the prospectus)

CHRISTINE: Right.

TOM: And this is actually part of New Seabury too.

CHRISTINE: I live like right there. Yeah, that's right by my house.

TOM: So you live in New Seabury?

CHRISTINE: I live right next to New Seabury; I live on Harbor Ridge Drive.

TOM: Oh Harbor Ridge is up there.

CHRISTINE: Oh, okay.

TOM: So any case, I put together a prospectus all about the proposal, lots of history or our town and our preservation efforts, and a description of the refuge, of all of the existing conservation land within the refuge, and proposed acquisitions, and how it's consistent with everybody's plans about the Waquoit Bay Reserve and it's in the watershed and it's critical habitats and a bunch of appendices. At the time this was the existing protected land within that original boundary. George had been, or was, a good friend of our Congressman Gerry Studds. He had actually

campaigned for Gerry and went door to door with him in Gerry's first campaign to get into Congress. And at the time Gerry, fortunately for us, was the Chairman of the House Interior Subcommittee, I believe that to be the right name; the one that was in charge of the Fish and Wildlife Service, land acquisition and all that stuff, and so we had an incredible supporter there. And George was also a good buddy with Senator Kennedy, he had been a Mashpee police officer and got injured on the job and was sort of retired then, disability retirement I guess. But he had worked as a security guy for Teddy Kennedy's campaign and all that stuff. So basically I did the grunt work, so to speak, in terms of putting together the proposal and all these attachments and all these documents and this important thing, this attachment [unintelligible@13:56]. The House of Representatives and the Senate got this northeast coastal area study about how significant coastal habitats were. And various other supporting documents as well as like I said all these descriptions. And so that's sort of the way that it worked; he did the politics and I did the leg work and between the two of us we got sort of guidance from Studds, and particularly his local, I forget what they call it, his guy on Cape Cod.

CHRISTINE: His aide.

TOM: Mark Forest.

CHRISTINE: Yeah, yeah.

TOM: Who I think is part of this history.

CHRISTINE: Yeah, yeah. He's going to be interviewed next week.

TOM: Yeah, so Mark Forest sort of told us how we needed to go about getting things done and who to send this stuff and so that's what we did. Basically I put together this package and sent it off to the Regional Director of the Fish and Wildlife Service. And this is the letter, [unintelligible@15:21] the Conservation Commission sent a letter, we got the Planning Board to send a letter, the Wampanoag Tribe.

CHRISTINE: Wow.

TOM: Which didn't hurt and these guys were big; Russell Peters was the President and he was one of these old timers that was just an outstanding guy and Vernon Pocknett, this guy I was telling you about that made that speech about the Quashnet River [unintelligible@16:03].

CHRISTINE: Is Russell Peters related to John Peters?

TOM: Well put it this way, his brother was John Peters, otherwise known as "Slow Turtle," who was the medicine man for the tribe.

CHRISTINE: Right. Okay cool.

TOM: And John's son, John Peters who everybody calls Jim Peters; the original John Peters was a head of the State Commission on Indian Affairs, the Executive Director of the Commission on Indian Affairs. And his son Jim, John Junior—

CHRISTINE: Right, right, okay.

TOM: —is the current head of the Commission on Indian Affairs. And yeah, there's all kinds of Peters' around,

children of Russell and John, including Ramona Peters.

CHRISTINE: Right, we're going to try to get in touch with her.

TOM: Who is Slow Turtle's daughter, who's now the Medicine Woman for the tribe. And with that we've got the Waquoit Bay Reserve support letter, Christine Gault, who I think you're going to interview, gave us a support letter about how important it was to protect the watershed. We had the Environmental Protection Agency send a support letter, and a joint letter by Senator Kennedy and Senator Kerry —

CHRISTINE: Wow!

TOM: Yeah. And APCC sent a letter; I'm not sure if I was on the board of, yeah I was on the board of directors of APCC at that time; the Compact of Cape Cod Conservation Trusts, our State Representative Tom Cahir. He was a really great guy, great rep., unfortunately, ran for county sheriff and lost. So he went to work for the Department of Transportation, but now he's the head of the Cape Cod Regional Transit Authority.

CHRISTINE: Oh cool.

TOM: And so all those support letters were put in the front of the prospectus, written by me in April of 1993 is when we did this. And it went up to the Fish and Wildlife Service regional office. A couple of people you may be talking to, certainly you'll be talking to Carl Melberg, who was involved. And he and, there was another employee there Mary Vartaresian, who's no longer with the Fish & Wildlife Service, but those

two were sort of the staff people that did a lot of work from the Fish and Wildlife Service side. And Ed Moses was the head of the Eastern Massachusetts Complex of the Fish and Wildlife Service, a series of refuges in Eastern Massachusetts [unintelligible@19:19]. Those are the people we had meetings with when the Fish & Wildlife Service started working on the proposal, and out of those meetings, and from Congressman Studds, came the directive that the bigger the better; Congress would be more impressed if it's bigger. So this little refuge, that basically constitutes what you think of as the south portion of the refuge, I was sort of told it had to be bigger and contiguous. So I actually developed this sort of really gerrymandered boundary that you see now, that every piece was contiguous and it added up to 5800 acres and we settled on that. And the Fish and Wildlife Service guys decided they were going to support it. They had to do an environmental impact study; I wish I had that document, I have that document but I just don't have it with me, I wonder if Carl's got a copy. Basically, it identified every single parcel within the boundary and the owners and all the rest. And typically for an EIS, it had alternatives you know, no action, a smaller Refuge, and the full 5800 acre Refuge. So that process was done, I wish I had that document for the date of it, but obviously it was around '94. And meanwhile, Teddy Kennedy was running for re-election and President Clinton came down to Boston for a rally for Teddy. Actually, it was June 19, 1993, before anything went on with the Fish & Wildlife Service people. And George and I went, and we brought with us a letter addressed to President Clinton, signed by George and myself, about this

refuge proposal and how we'd really appreciate his support; I wish I could find a copy of that. We got ourselves up front in the handshake line, shook hands with Senator Kennedy and then President Clinton comes along, I shake hands with President Clinton, give him the envelope. And you should have seen the Secret Service guys were like [makes noises] 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, that was before actually, before the EIS and all this stuff with Fish and Wildlife. Because about a month later we got a letter from Ron Lambertson, or actually his assistant, at 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 and Ed Moses involved in developing the proposal. And once we got it together and the EIS was done, it had to go to Congress; what Congress does with wildlife refuges is they establish what's called an acquisition boundary. And so Gerry Studds carried the legislation to have the acquisition boundary approved.

CHRISTINE: I'm sorry, can I interrupt for a second. Ron Lambertson, what is his position again?

TOM: Ron Lambertson was the Regional Director of the U.S. Fish and Wildlife Service in the northeast.

CHRISTINE: Okay, so when you handed this letter to President Clinton, he passed it onto—?

TOM: Yeah, I guess he passed it onto the Fish and Wildlife Service and they passed down to the regional director and

it wasn't Lambertson that sent us the letter back, it was his assistant Kathy Short, she was actually the one that signed off when we did the agreement. And one of the things that we emphasized, became part of the proposal that helped get it approved by the Congress, is that this is a unique refuge. Most refuges, the federal government either sets aside land it already has or just strictly federal acquisition on ownership. 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 and those included, obviously the Fish and Wildlife Service, the State Division of Fisheries and Wildlife, the Waquoit Bay Reserve, the State, what was called DEM at that time, now DCR, whatever—

CHRISTINE: It's DCR still.

TOM: No, it was called DEM at the time.

CHRISTINE: Oh, oh, oh, okay.

TOM: Department of Environmental Management, now it's DCR. [interrupted] So where were we? We're getting to the exciting part.

CHRISTINE: Memorandum of Understanding between all these partners.

TOM: Yeah, so we put together this Memorandum of Understanding, and

you must have a copy of that, if you don't I'll get you that.

CHRISTINE: MaryKay has one.

TOM: Because that included the 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 some kind of; at the time they were not a recognized tribe, and did not want them to feel that like there was any kind of federal control over the Wampanoag property.

CHRISTINE: Got it.

TOM: But, I mean their cultural heritage and the fact that this was all the Mashpee Wampanoag territory was the reason they were included (and why it was named the Mashpee National Wildlife Refuge) along with the Falmouth Rod & Gun Club, which owned a good chunk of land in the refuge in Falmouth and Mashpee. We tried to get the Cape Cod Beagle Club involved, but they didn't want to get involved, they thought somehow their shooting of rabbits on their property, and the dogs running and all would somehow be constrained. And also tried to get the Mashpee Water District involved but they didn't want to do it because a couple years before when the Quashnet River Property was bought, the ten million dollar deal there, the District had already developed on the property a million and a half gallon well with money from the developer, actually the land was going to be developed, forgot that part of the story. It just wasn't, "Well let's go buy the Quashnet River." No, there was a four hundred and eighty

condominium project called Quashnet Woods proposed on the property under a local bylaw. And all of the development was going to stay basically three hundred feet away from the river on the eastside and all the land on the westside, all the over to Turner Road; basically they owned all of this land over here. (pointed to area on Refuge map). And that was all going to become condos along here, the rest of it would have been set aside as open space, so there was almost two hundred acres that was going to be set aside as open space. But the Trout Unlimited guys were concerned because having that many people even three hundred feet away from a river, they figured, they had done this massive restoration effort along the river to rebuild the banks of the stream [unintelligible@28:07] in a former cranberry bog and spent twenty years doing it. And again, retrogressing here on the story, but they were concerned that all those people with dogs and everything were going to end up breaking down the banks of the river and mudding it up and there goes their nice gravel bottom for spawning trout and all that stuff. So that's what got them interested in pushing that whole Quashnet River. And the Rod and Gun Club owned land in this area, and most of the Trout Unlimited guys were also in the Rod and Gun Club so that's how we got them, convinced them to join up, but like I said the Beagle Club owned land in here that did not get, did not join. The Water District, when that well was bought, I mean when that land was bought on the Quashnet River, it included the land where the well was that they were supposed to get from this developer; the developer already paid for doing all the testing.

CHRISTINE: And who was the developer, do we know?

TOM: It was called, it was a guy named Joe Breen and his partner Jim Gill. I can't remember the name of their organization; I could look it up.

CHRISTINE: Okay, no worries.

TOM: The project was called Quashnet Woods.

CHRISTINE: Right, right, Quashnet Woods.

TOM: So originally we were just looking for DEM, at that time, to do a purchase. Meanwhile Fisheries and Wildlife already owned the land right along the river where the bogs where the Trout Unlimited guys were doing the work. And somehow they wanted to get themselves involved, so they put up a half million dollars towards the ten million and DEM, now DCR, put up the other nine and half million. But once they got involved, they had a legal counsel, Dane Crook, basically said, the Water District couldn't get to develop the well and use it. He said, "Wait a second, we should not be supporting wells on state land because it's just going to encourage more development in the rest of the town." And he killed the part about the Water District being able to use the well. And so anything with the name "wildlife" now, particularly when this guy Russell Babcock was on the board there, they just did not want to get involved. So they still haven't joined the refuge partnership. But I'm now the Chairman of the Mashpee Water District, and I am going to try to push them this year to join up and become a signatory of the MOU.

CHRISTINE: Right.

TOM: Because they've got a good chunk of land in the middle of that area there west of the Quashnet River. So where were we, I keep going backwards and I forget how far forward we got. Gerry Studds got the legislation through Congress to create our refuge boundary. And we had the big ceremony, I guess maybe April 1994 to do the signing of Memorandum of Understanding between the eight parties.

CHRISTINE: I have it as '95, does that sound right? April of '95.

TOM: Is it, okay, must be because we're talking about the 20th Anniversary. Okay, so it's '95. So we did all this work in '94 I guess.

CHRISTINE: Right.

TOM: So starting in this, when was the date of this thing, I guess a couple years. And I did this (the prospectus) in April of '93, so it took us about two years to get to that point, doing all this stuff. We had the big ceremony and then we had a refuge, we had no federal ownership in it though. And so of course the property that George and everybody was most interested in protecting, for which nobody else had any money to buy, it was a big chunk of money. I'm trying to think how millions of dollars, maybe three and a half million dollars [unintelligible@32:46]. But in any case, that's where we focused on getting the federal Fish and Wildlife Service to buy property, the town agreed to buy a piece of it as well. This is where we started working with a third non-profit group, remember the Mashpee River we worked with the Trustees of

Reservations, Pine Barrens, we worked with the Nature Conservancy. It's actually Laura Johnson who later became the president or whatever, the boss of the Mass. Audubon Society, was the person I worked with in the south Mashpee Pine Barrens when she was with the Nature Conservancy. For the Bufflehead Bay property, the appropriate organization turned out to be the Trust for Public Land. So we worked out a deal where the Trust for Public Land would buy the property from New Seabury and hold it until the federal appropriation could come along and buy them out of it. And meanwhile the town bought about thirty acres of it as well. And that was a great move because the Trust for Public Land has a big lobbying presence in Washington. Between them and Gerry Studds they were successful in getting an earmark, which you couldn't do anymore these days, but got an earmark in whatever legislation that funds, like wildlife refuge acquisition; an earmark specifically for this Bufflehead Bay property. So the Trust for Public Lands bought it, the town bought them out a piece of it and then once this earmarked money became available, that bought them out of the rest of the Bufflehead Bay property. And there's no place called Bufflehead Bay; what New Seabury liked to do was take the name of a pond and change it, so like Jehu Pond was going theoretically going to be "Bufflehead Bay".

CHRISTINE: Oh, got it.

TOM: And it's just like the pond, it's called Fells Pond in New Seabury, that was not traditionally Fells Pond, that was Jim's Pond; it wasn't fancy enough for them so. [Unintelligible@35:09] New Seabury's new name for a pond

that was never that. But in any case, so that's how the first big acquisition came about, meanwhile the state and the town, like I said, since then have bought additional pieces throughout the '90's and DCR, or DEM/DCR, the other big purchase was by them in 1995 I believe; they bought a chunk of New Seabury. They bought an area that included land adjacent to South Cape Beach State Park, it's actually in this area down here; it's adjacent to South Cape Beach State Park. By the way, when we created the refuge boundary, we intentionally did not include the state park; it was already protected, and the Mashpee Woodlands because it was already protected. It was like, this is about getting federal money to protect more land, so there was no need to get them involved in that area. Although, the current discussions and the CCP talked about possibly expanding the boundaries to include those things. I know the Trustees actually want to become part of the refuge because of access to funds, particularly for controlled burns and habitat management, but we'll see where that goes. But that's why those weren't included upfront because they're already protected, the whole point of this was we ran out of money to buy land and the state had some money and didn't for a while, and they only had so much. And the state, of course, likes to get the most land they can for their dollar so they focused on western Massachusetts when it was cheaper than Cape Cod land, because it was expensive so it was hard to get them to buy stuff down here, but we did. One of the, it was actually the Natural Heritage guys for Fish and Wildlife that got them to buy their land in this area, the Pine Barrens. A guy named Henry Woolsey, who's I guess, I don't know what his title is but he came

down and Tom French, who also I think was his boss, became very interested in the Pine Barrens habitat, and this is back before the refuge opened [unintelligible@37:48] Laura Johnson from the Nature Conservancy had got all that land bought in the middle of the Pine Barrens. So like I said, the feds, I mean the state bought the land adjacent to South Cape Beach State Park from New Seabury. And until a new town manager took over, the town was very interested in buying things. We adopted the Cape Cod Land Bank, I think 19, was it 1999? And so there were, that 3% funding went towards buying a bunch of land in town. Some pieces, particularly in the northern part of the refuge in Mashpee, and bits and pieces elsewhere, not all in the refuge. Very big chunk on Santuit Pond, Santuit Pond Preserve [unintelligible@38:57] but that's outside the refuge. Although Carl Melberg would love to add extended boundaries all the way out to there. And unfortunately when we went to the Community Preservation Act, everybody in town thought it was going, "yeah more money for more open space." And this was what it was sold on and most residents voted for it but it turned out they ended up creating a committee of people, you know said it's got to be affordable housing, it's got to be historic preservation. And it turned out the majority of the people on the Community Preservation Committee in Mashpee, were not at all interested in buying open space. And the town manager, Joyce Mayson was absolutely against buying any open space, matter of fact she has verbally berated me for having bought all this land in the past.

So once the CPA came along, all of a sudden the bottom dropped out of buying any open space; they refused any proposals to buy it. And the way they set up the process, it was like the owner of the land had to come to them and ask them. When it was the Land Bank, I was assigned by the Land Bank to go out and find properties and negotiate deals and get appraisals done and the Land Bank would bring an article to the town meeting. When we went to the Community Preservation Act, they created this whole process where the owner has to go to them asking them to buy the land, has to provide their own appraisals, and it's like total disincentive to buy any property. But there has been one big purchase that they were forced to contribute to, by pressure. And this, again, involves, he wasn't a Selectman at the time but he is now, Andrew Gottlieb. He was a Selectman back in the '80's when we were doing all this land acquisition, very supportive of open spaces. And he got, he had actually moved his way up through DEP, up into becoming the Assistant Director of EOEAA, which is now EOEEA, whatever. And then when his predecessor left, and this was under the Romney Administration for the last year under the Romney Administration, he was the Director of EOEEA. And so this was after he had left, when Governor Patrick came in, he basically [unintelligible@42:15] was out, it's a political appointment, I guess he put his own guy in there. Andy still had enough friends up there that he convinced the State Division of Fisheries and Wildlife folks to buy a conservation restriction on a big chunk of land called the Pickerel Cove Property. And it was owned by the Diocese of Fall River and it was about 70 acres, the very northern tip of

the refuge. And the CPA Committee was dragged into throwing half a million dollars into the two and half million dollar purchase price. And we got the Conservation Restriction bought by the State Fish and Wildlife and the rest, let's see, must have been a bond issue and proposition two and a half, debt exclusion I think that paid for the rest of it. But any case that was bought and that's the last big chunk that's been bought on the refuge. And there's still pieces out there, infill pieces, that need to be bought but it's a very tough environment getting any money from the town. Although the feds are looking to buy something in the northern portion of the refuge, done some appraisals of a property up there. We actually did convince the CPA to buy a small piece of land up in the northern end of the refuge, the Lewis Property, went to town meeting with the article and got sideswiped at the town meeting by a new entity called the Mashpee Wampanoag Land Trust

CHRISTINE: Oh boy.

TOM: Unbeknownst to us had created itself and they decided they wanted the land and they offered Mr. Lewis \$10,000 more than we were going to pay him. And at the town meeting said, "Hey, we're going to buy this." So the town meeting, because there was an alternative, agreed to indefinitely postpone the article. And they did end up buying the property. So that Lewis Property was bought by them, not us. Within the refuge, there were and are lands that had been acquired by the town as tax taken properties, if someone doesn't pay their property taxes after a certain number of years the town goes to court and basically takes the property for

payment of taxes. And have to wait a few years to give people at least a year to redeem the property and after a year they can go back to court and get a foreclosure of the rights of redemption. And so that then becomes town property permanently. And, there's another chunk of the refuge that I've got to talk about actually, just reminded me of that.

CHRISTINE: What year is all this? I'm like a little—

TOM: Oh, this is like between when the refuge was created and now, you know bits and pieces have gone from tax taken to the refuge or to the Conservation Commission. In one case, I forgot to mention one of the very helpful parties in all this, Orenda Wildlife Land Trust. They owned a bunch of land in the northern portion of the refuge and they went out and bought more land out there as a party to the Refuge MOU on their own, did fundraising and all that, and \$150,000 was raised. And they more recently bought a piece of land on Lowell Road from the heirs of Lilly Hammond. So they had bought pieces of land in the refuge too. So there's little tax takings that were transferred by Town Meeting to the control of the Conservation Commission, again until recently. Big story, when we first adopted the Land Bank, we had already agreed to; this is how the tax taken process works. We had taken a piece of property called the Mingo Property, which is a big chunk of the northern part of the refuge, I forget how many acres, 250 acres, but had taken that for taxes in 1941. And we had listed it as town property ever since, but the Tax Collector at the time had failed to take the final step in the process, going to court to foreclose the rights of

redemption. So in 1983, when somebody was trying to buy part of the property, somehow in 1983 the heirs of the persons that the Town took the property from discovered that the rights of foreclosure hadn't been redeemed, I mean the rights of redemption hadn't been foreclosed. And so they sued the town to get title back, and it sat in court; it was a case that went from 1983 up until 1999. And in 1999 basically we agreed that, "Okay, you own it, we will buy it from you." And we bought the property about a month or so before the town meeting adopted the Land Bank, with regular town borrowing. But it was not put into conservation, it was to be held by the Board of Selectmen, just as open space. And they've done another purchase at Santuit Pond that is the same thing, it's not conservation, it's just under the control of Board of Selectmen. And because apparently the way the Land Bank Act was written, because it was less than a month or 60 days before the Town Meeting adoption of it, they went back to the next town meeting and they changed the vote so that the land was paid for out of the Land Bank funds rather than the bond that would have been passed. And so the first thing we bought with the Land Bank funds was actually already bought.

CHRISTINE: Right.

TOM: It was just a matter of taking it from a different pocket and it wiped out a lot of Land Bank money. So things have been slow in recent years and what's happened in recent years is more of a focus on managing what's there because it was realized the feds didn't have the money, the state didn't have much money, the town had money but they don't want to spend their CPA

funds on land; because of the way the process works, we haven't got land owners begging to get to have their land bought. Although there is one, I think there was one piece that was actually bought at the May town meeting. Because the land owners, they agreed to sell it to the town for the assessed value. But in any case, acquisitions have just been lacking, even though, like I said when we did a public opinion survey for a comprehensive plan update, which we couldn't finish because the town manager eliminated all my staff, the majority of people in town, either wanted to buy 100% of the remaining land in town as open space or in between 50 and 100%; the vast majority wanted to protect open space. So the main focus in the management became fire control. A lot of these areas in the refuge, particularly in the southern part of the refuge, haven't had a good fire in years. But the Pine Barrens habitat, that is a fire dependent habitat, it's got to have a good fire every ten or twenty years in order to stay Pine Barrens or the trees grow in. What a Pine Barrens is, despite the name, it's actually, mainly scrub oak with a very open overstory of scattered pitch pines basically. And what we had in the middle here, you could see over the years, all the pitch pines that have been growing in that Pine Barrens habitat. And so between that loss of habitat and the fire load that was built up, there's a great concern that with all this development interspersed with all this land that we protected can cause a hazard to residents in those areas. And particularly once Tom Eagle took over as the local guy for the Fish and Wildlife Service, we focused on; the Memorandum of Understanding, you know created a management committee representing all parties and done that

since the beginning, representatives from the other organizations. They decided that they really needed to do burning in the Pine Barrens areas to protect the habitat, to restore the Pine Barrens habitat and in order to do that they have to work with the fire department. And the fire chief at the time, George Baker, was like, "No way, you're not actually going to intentionally start fires in my town." Because they were used to going out with their brush breakers and fighting forest fires and knocking down a gazillion trees on the way to put out a little fire. And there had been a massive forest fire in that area in the late '30's, the reason we had the Pine Barrens there was that whole area, say between Route 28 and Great Neck Road South and Red Brook Road, that all burned in the '30's; big fire. And of course they didn't want that to happen again. So through a lot of effort on Tom Eagle's part and the funding by Fish and Wildlife Service of a study by a consultant, a guy named Carlson, I forget his first name. But they had a study done of the fire hazard potential of all the lands within the refuge based on, you know, whatever they base it on. And it showed that there were these areas next to developments, like Greenwood and Holland Mill Estates that were just ready to explode. And so they managed gradually to get George Baker on board with the idea of first of all creating fire breaks, physically going in and chopping down trees, creating sort of fire breaks along there. And he ended up doing it in Mashpee Woodlands too, outside of the refuge, fire breaks there and along the roads, like along Great Hay Road through Bufflehead Bay [unintelligible@55:16]. And then he agreed to do a small controlled burn off of, in this little

triangle area, south of Red Brook Road, there's one called Adams Road that's a dirt road, and Great Hay Road, so did a small burn in there. And they brought in the state fire people, who are used to doing these kinds of things, like in Plymouth there was the big state park that, what is it, it's not Nickerson, no Nickerson's down there, I don't know but this is a giant state park in Plymouth (Myles Standish), it's got a lot of Pine Barrens habitat and they do fire up there. And so they had the state fire guys here, the federal fire guys, they all convinced George that this is the right thing to do and so he agreed to this controlled burn down there and he saw how it worked and he became a convert. And he then became an advocate for this, with the Selectmen and all the rest. And so they started doing controlled burns up in the Pine Barrens next to Holland Mill Estates and on the Tribal Council land; this is all because it was on refuge partners' land. The Fish and Wildlife Service was able to provide their fire people and money and all to do a lot of this work. And so that's been the focus, first of all for fire protection and like I said it started with trying to maintain the Pine Barrens habitat. Then along came the New England Cottontail as an issue. All a sudden the New England Cottontail is up for listing on the federal endangered species list, and it's threatened or whatever. And it turns out that our Pine Barrens and habitat are a hotbed for Eastern Cottontails, I'm sorry, New England Cottontails; Eastern Cottontails are very common. But the New England Cottontail is the one that's up for the endangered species listing. And so that became another reason to do burns because they need that dense shrubby understory habitat that grows back when you do a burn and you get rid

of big trees. And we actually had George Baker go in a Selectmen's meeting talking about the bunnies and explaining why it was a good thing to do these controlled burns. So now New England Cottontails have taken over the discussion about the burning program and maintaining the habitat. And they've become a focus too of activity on the refuge in terms of going out and finding their poops and identifying; that's really the only way, you can't really tell them about from the Eastern Cottontails, you actually have to have either a dead one or their feces to get DNA, because you actually have to get a DNA sample to tell one from the other. And it turns out we got plenty of them, so it's become a real invigorated reason to do controls, to manage habitat on the refuge, and to buy more land. So everybody's waiting to see if the New England Cottontail does get listed and if it does get listed, then all of a sudden there's a lot more federal interest in our refuge and support for it as well.

CHRISTINE: Can I ask a couple questions?

TOM: Yes, absolutely.

CHRISTINE: Okay.

TOM: That's how all this was supposed to work.

CHRISTINE: No, no, it's okay.

TOM: Other than me babbling.

CHRISTINE: No, no, no, you know what that's great. I prepared questions in case some people were kind of, didn't know where to start.

TOM: Well I knew where to start because I started the Refuge with George Costa. George unfortunately died a number of years ago, he was a heavy smoker.

CHRISTINE: That's sad.

TOM: And he was a great guy, you know protecting this refuge and like I said he was a political connection to all the big shots in Washington and that's what got it all started. Any case, ask your questions.

CHRISTINE: Tell me about Nancy Caffyn.

TOM: Nancy Caffyn was a Mashpee Selectman. She was a nice lady, didn't have much to do with the refuge.

CHRISTINE: Really? Because I've been reading all these articles and she was really against it in a lot of these articles. She was saying that she felt that—

TOM: When I mean, she didn't have anything to do with creating it, yeah.

CHRISTINE: Okay, well—

TOM: What do they say, the articles?

CHRISTINE: Well that she's against, so basically at all these meetings she was against any acquisition that people proposed. She was saying, "It's not a good idea," and basically trying to delay the process.

TOM: Yeah, God, I forgot all about that, yeah. But you know George and her, actually her and all the other Selectmen at the time were at odds. She

was sort of an odd woman out of that Board of Selectmen.

CHRISTINE: Right.

TOM: And she and George actually ran for the state representative position, along with Matt Patrick, when Tommy Cahir quit to become, to run for county sheriff. And Nancy won and so she became a state rep. for a couple terms. And then she got cancer and decided not to run again and that's when George ended up running against Matt Patrick, oh my God that put me in such a horrible position because I had known Matt forever; he was part of the Quashnet Coalition with Trout Limited guys that saved the river, I knew him before I knew George. George also became a Selectman and then we became close doing the refuge thing. And it was sort of like, "Who are you supporting?" And I said, "[muttering]". George lost to Matt, and Matt was our state rep. for ten years until he lost to Dave Vieira, who at one time was the—

CHRISTINE: Friends.

TOM: --President of the Friends, just kept it alive. I should talk about the Friends too, Dave Palmer was a massive presence in the refuge. What was your question? Nancy Caffyn, yeah, just not a supporter and it was like an arch rival with George Costa.

CHRISTINE: Okay. So we're a little over an hour at this point, so—

TOM: I don't care, I don't see my daughter pounding on the door.

CHRISTINE: Oh, alright. I was trying to keep all the interviews to around an

hour. If you want, do you want to just keep going?

TOM: Keep going, ask your questions.

CHRISTINE: Okay. So tell me about Dave Palmer.

TOM: Dave Palmer, David Palmer was a friend of George's and a friend of Jean Thomas in particular who lived right on Waquoit Bay. And originally I knew him as a big supporter of protecting the bay and of CPWB, by the way Matt Patrick was the Executive Director of CPWB before he became Selectman and then state rep. He 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, like I said lived two houses away from the Waquoit Bay headquarters. And very well organized, and so he created the organization along with a number of people.

CHRISTINE: Do you know around when he created the Friends?

TOM: '95.

CHRISTINE: So it was almost simultaneously.

TOM: Right after. And at that time the biggest role of the Friends up until he left to head what's called FACES of Falmouth, it's like an organization of all the neighboring organizations of Falmouth. The big focus 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. Oh, here's the thing, the Mingo Property, the Selectmen wanted to buy

that and turn it into a municipal golf course. Well the Friends went to town meeting and actually had the article changed on the floor of town meeting so it couldn't be a golf course. And they were really pissed, but that's how organized and powerful the Friends were under Dave Palmer back in the 90's up to 2000, 2001. They were able to get things through town meetings and put up every type of campaigns [unintelligible@1:05:50] get things done in terms of land acquisition. And about then we started, I wasn't on the board originally, I came in a couple of years in, I think in '97. My ex-wife, had been on the board because she was a naturalist and she did and still does lead nature tours for the town on Saturday mornings. And she was on the board but she didn't want to do it anymore so they talked me into taking her place, like I didn't have enough to do.

CHRISTINE: Right.

TOM: So I've been on the board ever since. So when she was on there, and afterwards, we had created, the group created a thing called "Wild about Wildlife". Now Wild about Wildlife was not what it is now, it was an actual event that we had every year. The first year it was done it was at the Mashpee High School and we brought in all kinds of wildlife speakers and things to do. And had Congressman Delahunt come to our first thing, Gerry Studds had already stepped down.

CHRISTINE: Do you remember what year this, was this '95 as well?

TOM: No, no, no, this had got to be maybe, I want to say '97, is probably the first Wild about Wildlife event. I'll go

back and look, I had it all together so that I could bring it to you; I don't know what happened to it.

CHRISTINE: No, no don't worry about it.

TOM: Any case, that event was the first year and then from then on Mashpee Commons used to be in the habitat of setting up a big tent where there's a building now that's got the Pottery Barn and all that stuff in it. And that was used for their summer activities, concerts and all, and we got to use that tent every year for Wild about Wildlife for maybe five, six years. And it was set up, you know, with tables for State Fish and Wildlife, the feds had a big, fancy display that they put up for their thing, WBNERR had displays, we had activities. We would usually have some sort of performance, usually either these guys we paid big bucks to bring a whole bunch of eagles and hawks and things like that, at those events. And one year, for some reason, we had a guy that came down with reptiles including crocodiles, I mean an alligator. It's like what's this got to do with Mashpee Wildlife Refuge, it's an alligator.

CHRISTINE: They're doing that again this year.

TOM: What, an alligator?

CHRISTINE: They're rain forest reptiles.

TOM: Who is? Where though?

CHRISTINE: WBNERR.

TOM: Oh, WBNERR's doing it.

CHRISTINE: Yeah.

TOM: Okay, well whatever. You mean as part of the watershed block party.

CHRISTINE: No, it's a separate, it's actually a Wild about Wildlife talk on—

TOM: Well Wild about Wildlife is a Friends thing as opposed to a WBNERR.

CHRISTINE: Huh, well it's on WBNERR's calendar.

TOM: Right now we've become, sort of, since the Mashpee Commons venue disappeared, and the organization practically fell apart after George left, we did have a fellow named Ramon Rodriguez who was the president for a few years; he got in a big car accident and couldn't, basically almost died and that's when Dave Vieira came in and he just sort of like kept the organization intact until MaryKay came along, and MaryKay is a massive sparkplug.

CHRISTINE: She's awesome.

TOM: Reinvigorated the whole thing. We used to have 150 members, dues paying members and all that. In the '90's we had a newsletter called the Bufflehead Banner or something like that.

CHRISTINE: Yeah, that's right.

TOM: And a website that had been put together by one of the guys on the board who worked for WHOI and was running web sites over there, and all that just sort of died when Dave Palmer left. And so now we're just trying to restart that whole.

CHRISTINE: I'm actually working on the website.

TOM: Alright, the website and hopefully the newsletter.

CHRISTINE: Yeah, that's on my list too.

TOM: Get the word out there because even though, at least in Mashpee, we put together standardized signs, actually the signs for all of our conservation areas are based on almost exactly the U.S. Fish and Wildlife Service standard sign. And the ones in the refuge say "Mashpee National Wildlife Refuge" at the top and they've got the blue goose symbol on them and all that. And the colors and everything are exactly the same, so we tried to create some kind of identity for the refuge, but really the refuge is sort of like scattered around and without that visitor's center; where there's already a piece of land that was designated right there (pointed to location on map just north of South Cape Resorts condos) for the wildlife refuge visitor center. I actually, when they were rebuilding the town hall in 1997, they had all this material that was left over from when they had a bunch of portable trailers for offices. I was allowed to salvage a lot of materials for the proposed visitor center. It was 2 x 10's and it was pressure treated wood, and I had it all shipped to my yard. And so I had a pile of 2 x 10's in my back yard for years and years until they started rotting and full of cockroaches and carpenter ants, who would get in my house. And I ended up having to physically chop up the whole pile; those would have been all floor joists for the visitor's center. And I had doors from the old town hall, they were glass brown ones, there was a couple of those in the shed I've still got to be used on a visitor's center but it just doesn't seem to be happening. And remember

this whole thing started out with John Friel saying, "Hey, you know, get a refuge and you'll get a visitor's center." Never got one. At one time we had, the Fish and Wildlife People put in for a \$20,000 grant for the visitor center. They couldn't help pay for the building because it was going to be on Town land, but if we were able to get the building built, they would get \$20,000 for all the displays inside and all that stuff, but without the building, that couldn't be done. There's this house on Martin Road that we've been talking about as potentially a visitor's center, it's in the refuge in Falmouth. It's somehow being, even though it's on DCR property, it's sort of, the Friends are being looked at as the ones to rebuild it. They've got about eight members right now, and they're all fairly busy and half of them are like 70 or 80 years old. But MaryKay, she's got her friends over at the Rod and Gun Club, a lot of them are carpenters and all that stuff, so maybe that will happen. But any case.

CHRISTINE: Well I think you covered a lot of it already, there's just one more thing I wanted to ask about because I was a little confused.

TOM: Who are the other people on your list, I'm curious.

CHRISTINE: Oh well, Gerry Studds, you already said, George Costa, John Peters, David Palmer, and then do you remember Paul Ott?

TOM: Paul Ott was a very good reporter for the Mashpee *Enterprise*.

CHRISTINE: Yeah, that's where I got a lot of my information, I was just

wondering if you remembered anything about him, his personality?

TOM: He was a very intelligent guy, a good writer.

CHRISTINE: Because I think he was really instrumental in getting the message out because there's so many articles by him.

TOM: Good at it. And of course, I mean Bill Hough, the owner of the *Enterprise*, who've I known since he was the reporter for the *Enterprise* covering Mashpee when I first started here in '84. His wife, Monica, actually followed him as the reporter and that's how they met, through the *Enterprise*; Monica Hough, who teaches at Falmouth Academy now. But they were both reporters in Mashpee when they started out here [unintelligible@1:14:29]. But they've been very supportive of the refuge and land protection itself. Since Bill is now the owner of the paper basically, and editor of everything, you can always expect support from the newspaper. And actually there's another person who deserves a lot of credit, Janice Walford. Janice Walford was the 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. I can remember when before she went to work for the *Enterprise*, she worked down on the lower cape, Cape Cod newspaper or something like that. And I remember when I was on the board of APCC, we gave her our environmental champion award because of the reporting she was doing then in the lower cape in terms of environmental issues. She was great. I still have, and I don't know what I've

done with it, one of the things that happened when we were trying to get the refuge created was this grand tour that we took through the refuge, we drive through the refuge with Congressman Studds and all the fancy clothes and fancy shoes and all that stuff. Planned a route all the way through the Pine Barrens and all the way and ended up at South Cape Beach, where Gerry made a big speech. On the way, by the way, we ran into some people dumping brush in the road and basically chased them out of there with a convoy of Fish and Wildlife and town vehicles after telling them it was illegal. And I have the pictures, actually I have the proof sheet of pictures that were used in the *Enterprise*, but Janice Walford lent it to me back and it's got to be in the late '90's and I lost track of it and I never returned to it the *Enterprise*. If I can find it, you'd have a whole sheet of pictures for this thing, Gerry Studds and that tour, and a lot of the people that were involved in at that point. Also the year it was created, maybe it's the 1995 annual report of the town of Mashpee, the whole back cover is pictures of the refuge creation and the front cover is a map of the refuge. I should have brought that with me and I have scanned those things, I actually have them on a thumb drive. And one of them was a picture of the signing ceremony and it probably came from the *Enterprise* because it's got the little dot pattern like it came from a newspaper type photo.

CHRISTINE: Well didn't the signing thing happen at WBNERR?

TOM: It happened at WBNERR.

CHRISTINE: I'm sure they have pictures of it then.

TOM: Right where that trellis thing is, it's where we had that signing ceremony that was sort of a blown up version of everything.

CHRISTINE: Yeah, I'm sure they have pictures of that.

TOM: Yeah, the *Enterprise* has got to have the pictures somewhere, except for the ones I have of the Gerry Studds trip. But like I said, I'm going to scan this whole thing for you.

CHRISTINE: That would be awesome.

TOM: And just give it to you electronically, probably be too big for email so I'll just have to put it on a thumb drive and we can meet up and can transfer it.

CHRISTINE: Sure. Okay, so I have like a ton of notes here. What I'm going to do is I'm going to comb through all of it and then send you an email with my questions, is that okay?

TOM: Oh more questions, okay, sure.

CHRISTINE: Well I mean because my sloppy notes, I'm probably going to have some clarifying questions.

TOM: In the meanwhile, I'll get you this and I'll try to find other things like pictures and stuff.

[End of interview]