

# SENATE OF VIRGINIA

LYNWOOD W. LEWIS, JR.  
6TH SENATORIAL DISTRICT  
ALL OF ACCOMACK, NORTHAMPTON,  
AND MATHEWS COUNTIES; AND PART OF  
THE CITIES OF NORFOLK AND VIRGINIA BEACH  
P.O. BOX 9587  
NORFOLK, VIRGINIA 23505



COMMITTEE ASSIGNMENTS:  
AGRICULTURE, CONSERVATION AND  
NATURAL RESOURCES  
EDUCATION AND HEALTH  
LOCAL GOVERNMENT

April 29, 2016

Deborah A. Darden  
Superintendent  
Assateague Island National Seashore  
7206 National Seashore Lane  
Berlin, Maryland 21811

**RE: Comments to the National Park Service General Management Plan and  
Environmental Assessment for the Assateague Island National Seashore**

Dear Ms. Darden:

As the State Senator for the 6<sup>th</sup> Senate District in which the Virginia portion of the Assateague National Seashore is located and also as a life-long resident of Accomack County, I wanted to make some comments and observations regarding the proposed National Park Service General Management Plan.

I appreciate your having participated in earlier meetings arranged on Chincoteague and at the Eastern Shore Community College and also in the other efforts that you have made at community outreach regarding the General Management Plan.

Needless to say, any substantive changes in the status quo at Assateague have the potential for extensive and significant ramifications for the Town of Chincoteague, the County of Accomack, the entire Eastern Shore as well as the Commonwealth of Virginia. I think at a fundamental level it is important to note in regard to all issues that this National Seashore has been in existence since the late 1960s and that generations of Chincoteague Island residents have made significant life decisions and investments based on the existence of this National Seashore and many visitors each year to the Island. In addition, the economic benefits generated by this National Seashore are an important part of the Eastern Shore and the Commonwealth of Virginia's tourism industry. Everyone should want it to continue to be a great success.

As to the proposed General Management Plan, one of the things that gives me great concern about the possible changes suggested in the General Management Plan was a question that I posed about the possible changes in our first meeting in the Council Chambers on Chincoteague and that was "What negative impact do any of these activities [fin fishing, aquaculture and horseshoe crab

fishery] have on the Park Services' mission?" Thus far, I have not received any indication that any of these activities, which have gone on for generations, pose any threat to the Park Services' mission and, in fact, an important part of the economy and of the cultural heritage of the area.

As you know, I and others at the State level, including Delegate Bloxom, have raised jurisdictional issues in regard to the commercial fishing and aquaculture activities in the area. In fact, I introduced legislation during this last General Assembly Session, Senate Bill 643, which directed our Virginia Marine Resources Commission to monitor the Department of Interior's activities in the waters adjoining the Assateague National Seashore area and to further assert the Commonwealth's sovereignty in any jurisdictional issues so as to preserve the right and ability of Virginia watermen to use the waters. The Bill passed both Chambers of the Legislature unanimously and was signed by the Governor on February 29<sup>th</sup>. From a public policy standpoint, if an activity has been ongoing for generations and poses no threat or impediment to the mission of the Park Service, I see no reason why it should not be allowed to continue to the extent the Park Service even has any authority to disallow it. It would further seem to be in the best interest of the Park Service from a community relations standpoint as well.

As to the duck blind and oyster watch house issue, I appreciate the "Working with Virginia..." reference in the GMP, I believe the Town, has correctly and effectively outlined the historical and cultural reasons that these structures are important and I would fully adopt the Town's position as to these structures in that no action should be taken as to the oyster houses or duck blinds.

I concur with what I understand is the Town's position regarding the language of the preferred alternative in the GMP being changed to match the executive summary and Alternative One so as to recognize the rights of Virginia and allow the continued leasing of the submerged lands by the Commonwealth of Virginia for commercial aquaculture. Again, given the long history of such activities (which I would further submit are supported by the law) and use as well as the de minimis, if any, impact upon the Park Services' mission makes this the obvious and commonsense position.

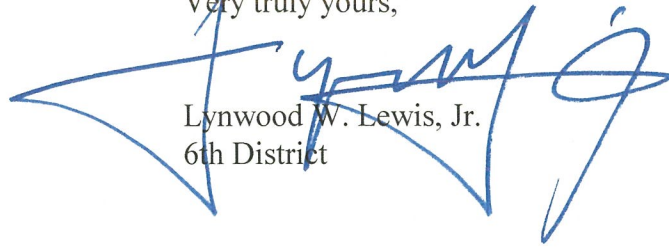
A similar observation could be made regarding the horseshoe crab harvest. I understand that the distinction made with the horseshoe crab harvest and fin fishing and aquaculture activities is the somewhat unusual designation of the horseshoe crab as an "animal". That technical distinction should not overcome the reality of the situation which places the horseshoe crab in the same context and category, on a practical basis, as fin fishing and aquaculture. I support the Town's position as to the horseshoe crab fishery.

The approach which I understand is taken in the GMP as to fin fishing is, I would suggest, the approach that should be taken to all of the other aforementioned activities.

It seems to me that if these activities and the Virginia state regulatory framework which exists for them have been in existence side by side with the Park Service for decades now that there would be little to be gained by raising the question of their continuing or being "allowed" to continue by permit.

Thank you again for the outreach efforts and the opportunity to comment. This issue is very significant for the people and the area that I represent.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Lynwood W. Lewis, Jr.', is written over the typed name and district information.

Lynwood W. Lewis, Jr.  
6th District

LWLjr./mmh

cc: The Honorable John H. Tarr  
Delegate Robert S. Bloxom, Jr.  
Senator Timothy M. Kaine  
Senator Mark Warner  
Congressman Scott Rigell  
Molly Ward, Secretary of Natural Resources  
Todd Haymore, Secretary of Agriculture  
Commissioner John M. R. Bull,  
Virginia Marine Resources Commission