

Minutes
Herring River Restoration Committee (HRRC)
Cape Cod National Seashore Headquarters
Wellfleet, MA
February 25, 2016
9:30 am-5:00 pm

Members Present: Tim Smith, Eric Derleth, Steve Spear, Peter Herridge, Steve Block (by phone), Hunt Durey, Hillary Greenberg, Gary Joseph

Others Present: Margo Fenn, Don Palladino, Martha Craig, Chris Rein, Helen Miranda Wilson, Jill Gannon (by phone)

Administration/Coordination

Communications/Coordination with Friends of Herring River (FHR): Don Palladino provided an update on FHR activities. There have been two recent meetings regarding plans for High Toss Road. The Wellfleet Board of Selectmen is still evaluating different options for removal of the tidal obstruction and providing public access to Griffin Island. Continued public outreach is needed to keep local officials and citizens informed about progress with the Restoration Project.

Approval of Minutes: The Committee voted to approve the minutes of the February 3, 2016 and February 4, 2016 HRRC meetings.

Meeting Schedule: The Committee agreed upon the following dates for upcoming meetings:

March 24, 2016	HRRC regular meeting
March 28, 2016	Technical Working Group (TWG) meeting
April 14, 2016	HRRC regular meeting

Adaptive Management Update: Jill Gannon of the U.S. Geological Survey (USGS) adaptive management team joined the meeting by phone and internet link. She presented some alternate policies for tide gate openings at the Chequessett Neck Road (CNR) bridge. The adaptive management team is evaluating different approaches for achieving restoration objectives over time periods of five, fifteen and twenty-five years. Using a consequence table, the impacts of these approaches will be evaluated to see how effectively they meet the objectives laid out in the adaptive management plan.

The Committee discussed how the tide gates could be managed to achieve different objectives such as water quality improvements, sediment accumulation on the marsh plain, and establishment of salt marsh vegetation. Jill Gannon noted that tide gate management strategies could be combined with other secondary actions to achieve restoration objectives. The next step in the process is to fill in the consequence table for all the alternatives, then consider trade-offs and weighting of objectives. This will provide a “prototype” for the full adaptive management plan. This work is due to be

completed by the end of September 2016. HRRC is seeking funding for USGS to continue its assistance in developing the full adaptive management plan.

Funding Proposals for FY 17: The budget planning process for the Fiscal Year 2017 MA State Capital Fund, through the MA Division of Ecological Restoration (DER) is underway and the National Oceanic and Atmospheric Administration (NOAA) has announced a new round of competitive grant funding for coastal and marine habitat restoration, with applications due on April 6, 2016. The Committee reviewed the status of the current work program (under the existing MA DER FY 16 and NOAA Year 3 grants) and discussed what next steps would be needed under each task in order to bring the Project to the construction phase. Chris Rein and Martha Rheinhardt provided a SmartSheet outline to guide the discussion. Chris Rein noted that the budget forecast covers a three-year period (FY17-19). The Committee discussed the following tasks:

-CBI Facilitation: The group discussed a conceptual framework for permitting, funding, and implementation of the Preferred Alternative D, including mitigation work on the Chequessett Yacht and Country Club (CYCC) property. The group discussed how to respond to a recent proposal prepared by CYCC. The Woods Hole Group (WHG) is completing a new report on groundwater issues in Mill Creek. The Consensus Building Institute is continuing to facilitate discussions between HRRC and CYCC.

-CNR bridge/tide gate design: Fuss & O'Neill is preparing permit-ready plans for the Chequessett Neck Road (CNR) bridge and tide gates. FHR consulted with Fuss & O'Neill to determine next steps and cost estimates for the bridge and tide gate design. For this task, and each of the other infrastructure design elements, FHR has estimated costs for periodic progress meetings and permitting support, as well as for preparation of the bid packages.

-Mill Creek dike design: The National Park Service (NPS) will assume responsibility for the next stage of design for the Mill Creek dike and tide gates. Access will be provided from Old Chequessett Neck Road.

-High Toss Road design: There was a public meeting on February 11, 2016 to present concept plans for a marsh level crossing across the entire length of the floodplain at High Toss Road, with a timber bridge structure over the main channel of the Herring River. Many attendees at that meeting did not support the proposed approach because it would not provide full access to Griffin Island at all stages of the tide. The Board of Selectmen discussed this plan at its February 23, 2016 meeting, and took additional comments from the public. The Board of Selectmen agreed to delay action on the proposal for 2 to 4 weeks, and encouraged members of the public to provide additional comments.

-LL road design/Pole Dike tide gate design: The Committee discussed plans for raising low-lying sections of Old County, Bound Brook Island and Pole Dike Roads. Funding will be needed for both construction design and acquisition of needed right-of-way along some sections of these roads. Committee members asked if there are utilities that need to be relocated as well.

-Other LL Roads and Common Driveways: Permit level design plans are still needed for the other low-lying road segments and driveways. LBG is also doing this work.

-Low-lying property survey/engineering: FHR has approved a new contract with LBG to survey the remaining structurally affected properties and to do mitigation design for others. Survey work for these properties will be coordinated with the needed roadway survey work. The Committee agreed that it would make sense to develop design plans for moving any wells located in the floodplain, and begin monitoring any other wells that might be of concern.

The Committee discussed how to estimate costs for different types of low-lying property mitigation and agreed to break it out by categories of work, such as raising driveways, moving wells, constructing flood berms, and so forth. The group also agreed on different budget timeframes for the river's sub-basins, based on projected Project phasing.

-Permitting: FHR needs to hire an experienced consultant to oversee Project permitting. This consultant would help the HRRC develop and refine the overall permitting approach. Hunt Durey noted that the HRRC needs to carefully define what Project elements will be Class 1 in order to ensure that all these elements have permit-ready designs. There is carryover funding in the NOAA Year 3 budget that could be used for this purpose in FY17.

-Rare species monitoring: HRRC and FHR representatives and the rare species consultants met with the MA Natural Heritage and Endangered Species Program (NHESP) staff on February 23, 2016 to determine next steps. NHESP staff indicated that no further monitoring would be needed this year for rare birds or moths, but recommended continued fieldwork for box turtles. They are also evaluating how to handle a new federally-listed species, the northern long-eared bat.

-Cultural resource assessment (Phase 1B investigations): The Public Archaeology Lab (PAL) will complete its Phase 1B fieldwork for the Mill Creek dike access road as soon as there is suitable weather to do so. No other archaeological field investigations are anticipated at this time, but observers will be needed when construction of Project infrastructure begins. Some of the funding allocated for this task in 2016 could be reallocated to other uses.

-Hydro Modeling and Functional Ecosystem Modeling: The Woods Hole Group is working on several different modeling efforts including the three-phase proposal to create Graphic User Interface (GUI) for the EFDC model. Phase 1 GUI needs to be completed before Phases 2 and 3 can begin. WHG is also completing an evaluation of groundwater effects in Mill Creek.

-Blue Carbon: The Committee will seek funding in FY17 to determine and document blue carbon credits for the Restoration Project. This could be a substantial undertaking, but could provide long-term financial benefits to the Project.

-Legal Issues: The Committee needs legal advice in developing agreements with LLP owners. FHR has prepared a scope of work to hire a qualified law firm to help with this. The goal is to select a law firm and develop a template for landowner agreements before the end of FY16 (June 30, 2016).

Pre-Construction Monitoring: The Committee discussed a list of monitoring tasks to be undertaken prior to Project implementation, including but not limited to tides/currents, water quality, surface and groundwater elevations, sediment, benthic organisms, shellfish, and vegetation. The National Park Service (NPS) already has an active monitoring program for many of these subjects. FHR will meet with NPS officials in early March to discuss how to coordinate data collection and management for the Restoration Project.

Project Management: FHR is preparing a project management budget as well to cover staffing and administrative costs over the next funding cycle.

NOAA FFO: The Committee discussed the process for preparing the next NOAA grant application, noting that there is considerable lead time needed to solicit letters of support and develop the grant narrative and supporting materials. Applications are due April 6, 2016.

FEIS/EIR Schedule: The Final Environmental Impact Statement/Report is nearing completion. It is scheduled to be released for public review in late Spring 2016.

Documents Referred to in the Meeting:

- Minutes of the 2/3/16 HRRC meeting
- Minutes of the 2/4/16 HRRC meeting