

**Minutes**  
**Herring River Restoration Committee (HRRC)**  
**Cape Cod National Seashore Headquarters**  
**Wellfleet, MA**  
**September 17, 2015**  
**9:30 am-5:00 pm**

**Members Present:** Tim Smith, Eric Derleth, Steve Spear, Steve Block, Hunt Durey, Charleen Greenhalgh, Hillary Greenberg

**Others Present:** Margo Fenn, Martha Rheinhardt, Don Palladino, George Price, Chris Rein, Melanie Gange (by phone)

**Administration/Coordination:**

**Communications/Coordination with Friends of Herring River (FHR):** Don Palladino introduced Chris Rein, who has been selected to be the Executive Director of FHR. FHR is working out a contract with Mr. Rein and he is expected to begin full-time work in October.

Don Palladino provided an update on FHR activities. He noted that there had been a problem accessing NOAA grant funds through the "ASAP" system because FHR had been deemed a "high risk" organization by Dun and Bradstreet. Melanie Gange at NOAA was working with FHR to straighten out this out. Palladino provided a brief update on the status of consultant contracts, noting that a number of amendments are in progress. He also reported on a recent phone conference with representatives of The Nature Conservancy (TNC) and Mass Audubon regarding fundraising for the next phase of the Restoration Project.

The Committee discussed the fundraising process for Project construction and implementation. This effort will need local leadership but will also need to engage the help of numerous non-government organizations (NGOs) in Washington. In order to request funding in the federal fiscal year 2018, preparations must begin now. A first step is to refine the construction cost estimates and phasing plan for the Project. An important next step would be to meet with the regional leadership of the partner federal agencies. The regional briefings should include a summary of resources committed to date and a description of the need for, and goals of the Project. Margo Fenn noted that TNC had developed a very helpful two-page brochure describing the Project, which could be used to brief agency officials. The Committee briefly discussed various grants that might be used to fund different components of the Project, and made note of a new NOAA FFO grant round in early winter.

**Approval of Minutes:** The Committee voted, with one abstention (Hillary Greenberg), to approve the minutes of the August 13, 2015 meeting.

**Schedule of Meetings:** The Committee discussed a series of upcoming meetings and

agreed upon the following schedule:

September 24, 2015	MOU Working Group meeting
October 15, 2015	HRRC regular meeting
November 4, 2015	HRRC regular meeting
November 5-6, 2015	Meetings with the USGS Adaptive Management Team, including: <ul style="list-style-type: none"><li>-Workshop with HRRC members</li><li>-Meeting with MOU Working Group</li><li>-Stakeholders Meeting</li><li>-Science Advisors' Meeting</li></ul>
November 7, 2015	Wellfleet Harbor Conference

### **Discussion and Updates:**

#### **DER Work Plan Updates:**

**CBI Facilitation:** A meeting is planned for September 30, 2015 with the Consensus Building Institute (CBI), representatives of the Chequessett Yacht and Country Club (CYCC), and some hydrogeology experts to discuss groundwater and drainage issues in Mill Creek.

**High Toss Road:** Martha Rheinhardt reported that ESS would submit a revised scope of work and cost estimate early next week.

**Low-lying Road Design:** The Louis Berger Group (LBG) recently submitted a revised draft scope of work to address issues with road right-of-way (ROW) encroachment. Cost estimates for this work are still needed. Eric Derleth noted that Jim Harmon (National Park Service (NPS) archaeologist) would need to walk the affected road segments to determine what areas might need archaeological investigations.

**Rare Species Monitoring:** Tim Smith reported that the wildlife experts hired to monitor state-listed species (including birds, reptiles and insects) would meet with staff of the Massachusetts Natural Heritage and Endangered Species Program (NHESP) in November to review work to date. The next phase of work will be determined following that consultation.

**Chequessett Neck Road (CNR) Bridge and Tide Gate Design:** Fuss & O'Neill is preparing cost estimates for the new design elements (the bypass bridge and boat access facilities). A contract amendment is needed to incorporate these elements. The Committee had a brief discussion about the location of stairs for fishing access. The Shellfish Advisory Committee requested that stairs be provided on the upstream side of the bridge.

**Mill Creek Dike Design:** The Committee briefly reviewed three different layouts and cost estimates for the Mill Creek dike prepared by Fuss & O'Neill. The Committee had a

number of questions about the impacts of the different options.

Martha Rheinhardt also noted that Fuss & O'Neill needs to provide a revised cost estimate for survey work for this task.

**Other Low-lying Roads:** FHR is expecting a scope of work from LBG to conduct this work.

**Adaptive Management Monitoring:** Tim Smith and Eric Derleth reported that Kirk Bosma of WHG is preparing a proposal to address a range of modeling and monitoring issues including adaptive management, functional ecosystem modeling, tide monitoring and hydrodynamic modeling. It will not be possible to prepare scopes of work for these tasks until this information and approach are worked out. Eric Derleth noted that the Committee is still waiting to receive the deliverables for the first phase of the Graphic User Interface (GUI) from WHG. This information is needed in order to develop the scope of work for the next phase.

**Legal Issues:** Eric Derleth provided a sample landowner agreement from another project for review.

**Permitting:** Martha Rheinhardt reported that ESS would submit a proposal for preparing a Development of Regional Impact (DRI) application on September 19, 2015. ESS is also preparing a draft scope of work for a regulatory permitting strategy.

#### **NOAA Work Plan Updates:**

**Low-lying Property Survey/Engineering:** Committee members reported on recent meetings with several landowners. The group discussed next steps with each property owner and made assignments for follow up.

The Committee discussed preparing a new letter to all abutting landowners to update them on the Project. The group agreed that this should be coordinated with the release of the Final Environmental Impact Statement/Report (FEIS/EIR). The mailing list for owners needs to be updated.

**Cultural Resources:** Under the Programmatic Agreement between the National Park Service (NPS) and the Massachusetts Historical Commission (MHC), the Restoration Project must conduct site investigations in areas of archaeological sensitivity, where there will be non-hydric soil disturbance. The Public Archaeology Lab (PAL) has already performed this work around the CNR bridge, the Mill Creek dike and on the CYCC property. Further work may be needed for work to raise low-lying roads, for the removal of High Toss Road and for the access route to the Mill Creek dike. Jim Harmon (NPS Archaeologist) will walk the affected road segments and prepare a scope of work for PAL to conduct the needed investigations. The goal is to seek permits and conduct the field investigations before winter.

**Secondary Management:** The Committee discussed how to approach preparation of a plan for secondary management activities such as vegetation clearing, channel modifications and dredging. The group acknowledged that much of the area to be managed is within Cape Cod National Seashore. NPS has a fire management program that typically handles vegetation clearing within the park. Work on private land would have to be negotiated with landowners.

The Committee discussed what types of vegetation management would need to be included in the initial permit applications. Eric Derleth suggested consulting DEP officials about this. Tim Smith suggested that the permitting approach could be similar to open marsh water management and integrated marsh management general permits issued to local mosquito control programs, stipulating general techniques and practices to use based on specific site conditions.

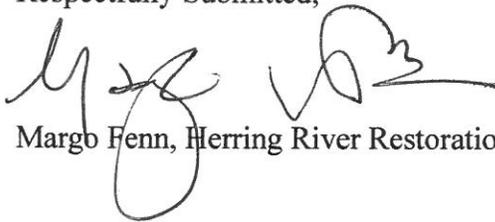
**Blue Carbon:** As part of Waquoit Bay National Estuarine Research Reserve's newly funded Bringing Wetlands to Market 2.0 program, Restore America's Estuaries (RAE) will prepare a proposal for use of the NOAA grant funds to assist in developing a market feasibility analysis for blue carbon.

**Smartsheet Demonstration:** The Committee briefly reviewed and discussed use an online project tracking management system.

**Documents referred to in the meeting:**

-Minutes of the August 13, 2015 HRRC meeting

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Margo Fenn', written over a large, faint circular stamp or watermark.

Margo Fenn, Herring River Restoration Project Coordinator