

**Minutes**  
**Herring River Restoration Committee (HRRC)**  
**Cape Cod National Seashore Headquarters**  
**Wellfleet, MA**  
**February 4, 2016**  
**8:30 am-5:00 pm**

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

**Others Present:** Margo Fenn, Don Palladino, Martha Rheinhardt, Chris Rein, Helen Miranda Wilson

**Fundraising/Budget:** 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) is about to offer a new round of competitive grant funding for coastal and marine habitat restoration, with applications due on April 6, 2016. The Committee spent most of the day reviewing the status of the current work program (under the existing MA DER FY 16 and NOAA Year 3 grants) and discussing what next steps will be needed under each task. Chris Rein and Martha Rheinhardt provided a SmartSheet outline to guide the discussion. 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 reviewed a recent proposal prepared by CYCC and discussed how the adaptive management process might address CYCC's concerns, including possible monitoring of groundwater effects. The Consensus Building Institute is continuing to facilitate discussions between HRRC and CYCC.

**-Adaptive Management Monitoring:** Tim Smith noted that there might be a need for additional planning support for adaptive management, going forward. The U.S. Geological Survey (USGS) has provided a team of experts to support development of the Herring River Adaptive Management (HRAM) Plan but their contract will run out in September of 2016. The group discussed whether it might be possible to develop an interagency agreement to continue this work.

**-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 preparing an evaluation of groundwater effects in Mill Creek.

**-Secondary Management Plan:** The Committee discussed again the possible need for developing a forest inventory to aid in planning for secondary management activities

such as vegetation clearing. Since much of the area to be managed is within Cape Cod National Seashore, the NPS fire management program would likely handle vegetation clearing within the park. Work on private land would have to be negotiated with landowners. Hunt Durey suggested having the lead permitting consultant put together a plan for secondary management activities. He suggested this could be done using a generic environmental impact report approach, with standard protocols that could be adjusted, as needed, in the field.

**-Blue Carbon:** The Committee discussed what would be required to accurately 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.

**-Permitting:** Friends of Herring River (FHR) has signed a contract with ESS to begin preparation of the Project's Development of Regional Impact (DRI) application to the Cape Cod Commission. The Towns of Wellfleet and Truro will be the applicants before the Cape Cod Commission. FHR is seeking the towns' approval to hire an experienced legal counsel to represent the Project in the DRI process.

FHR also needs to hire an experienced consultant to oversee the rest of 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.

**-High Toss Road design:** There will be a 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. This would include a timber bridge structure over the main channel of the Herring River. The concept has been developed as a result of public comments during the June 2015 public hearing and at the request of the Wellfleet Board of Selectmen. The Board of Selectmen will review this plan at its February 23, 2016 meeting.

**-Rare species monitoring:** The timeframe for the Massachusetts Environmental Trust (MET) grant for rare species monitoring has been extended so that the next round of rare species fieldwork can be completed. HRRC and FHR representatives and the rare species consultants will meet with the MA Natural Heritage and Endangered Species Program (NHESP) staff on February 23, 2016 to determine next steps.

**-CNR bridge/tide gate design:** Fuss & O'Neill is preparing permit-ready plans for the Chequessett Neck Road (CNR) bridge and tide gates. FHR will consult with Fuss & O'Neill to determine next steps and cost estimates for the bridge and tide gate design.

**-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.

**-LL road design/Pole Dike tide gate design:** HRRC representatives met with the Wellfleet and Truro Conservation Commissions to discuss design issues and potential

wetland impacts of raising low-lying sections of Old County, Bound Brook Island and Pole Dike Roads. There was general support from the Conservation Commissions for the Restoration Project. Issues raised included accommodation for bicycles and traffic management during construction.

**-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:** Martha Rheinhardt reported on recent meetings with affected property owners. 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.

**-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.

**-Legal Issues:** The Committee discussed the need for legal advice in developing agreements with LLP owners. FHR will seek 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).

**-Project Management:** Chris Rein and Don Palladino presented some projections of FHR staffing costs for the coming year. The Committee agreed that project management costs should be estimated for the next three years. The group discussed what other types of expertise might be needed in order to carry out all the project management functions, and suggested including funding for a science position to oversee monitoring and data management.

Chris Rein and Martha Rheinhardt agreed to revise the SmartSheet budget outline for FY17, develop cost estimates for proposed tasks and provide an updated spreadsheet for HRRC members to consider. The HRRC and FHR will finalize the task list and budget estimates and prepare the state and NOAA funding applications.

Respectfully Submitted:

Margo Fenn, Herring River Restoration Project Coordinator