

Minutes
Herring River Restoration Committee (HRRC)
Cape Cod National Seashore Headquarters
Wellfleet, MA
August 20, 2014
9:00 am-4:00 pm

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

Others Present: Margo Fenn, Martha Rheinhardt, Don Palladino, George Price

Administration/Coordination:

Approval of Minutes: The Committee voted unanimously to approve the minutes of the July 10, 2014 meeting.

Meeting Schedule: The Committee agreed to the following schedule for upcoming meetings:

September 17, 2014	Technical Working Group (TWG) meeting
September 18, 2014	HRRC meeting
October 9, 2014	HRRC meeting

The Committee discussed what should be included on the agenda for the TWG meeting, including the following topics:

- Update on infrastructure design
 - Chequessett Neck Road bridge and tide gates
 - Mill Creek dike and tide gates
 - Pole Dike Creek Road tide gate
 - LLP outreach
- Update on MOU III
- Review of the draft Concern/Response Report for the FEIS/EIR
- Grant awards and work program for 2015
- Adaptive Management Strategies
- Revised Vegetation and Habitat Change Analysis

The Committee also discussed plans for a series of meetings with the USGS Adaptive Management team in October. Jill Gannon and Dave Smith will be on Cape on October 7-9, 2014. They will meet with Cape Cod National Seashore staff and the MOU Working Group on October 8, 2014 and attend the HRRC meeting on October 9th.

Friends of Herring River (FHR) Annual Meeting: The Committee discussed the August 19th FHR Annual Meeting. Attendance was strong with over 100 people there. The presentations were excellent and questions from the audience were on-point. FHR videotaped the meeting and it will be available for viewing on the local public access television channel.

Low-lying Properties: The Committee continued its discussion of low-lying property impact prevention, reviewing technical information and mitigation options for specific properties.

Project Fundraising Strategy: Don Palladino and Hunt Durey reported on recent phone consultations with The Nature Conservancy (TNC). TNC may be able to assist the FHR in developing a fundraising strategy for the Restoration Project and help build contacts with other individuals and organizations that might be able to help with fundraising. Steve Block noted that he had spoken with NOAA officials about the process for developing an interagency partnership in order to raise funds for the construction phase of the Restoration Project. The Committee discussed briefly how the costs of infrastructure and management elements might be allocated among the federal and state agencies. This matter needs further exploration.

Budget and Work Plan for 2015: The Committee reviewed upcoming work tasks and grant funding in order to outline a work plan and budget for the coming year. The discussion included the following tasks:

-Chequessett Neck Road (CNR) Bridge and Tide Gate Design: The Committee discussed an estimated \$215,000 line item for preparation of permit-ready engineering design plans for the CNR bridge and tide gates, proposed to be budgeted in Year 2 of the NOAA grant. MA DOT is reviewing the 25% design plans recently completed by Fuss & O'Neill. This process is expected to take several months. Fuss & O'Neill has also provided a cost estimate to prepare 75% design plans, but the HRRC needs to clarify what work is needed in order to submit regulatory permit applications. Tim Smith agreed to serve as the HRRC liaison for the CNR work.

-Professional Facilitation for Low-lying Properties: \$50,000 is proposed in the DER Engineering Design and Technical Services grant in order to contract with a professional consulting firm to facilitate discussions, as needed, between the Project proponents and selected low-lying property owners regarding proposed impact prevention and mitigation measures. Don Palladino has spoken to Barbara Boone, General Manager of the Chequessett Yacht and Country Club (CYCC) about working with a professional facilitator/mediator to address issues related to the raising low-lying portions of the CYCC golf course and construction of the Mill Creek dike. Hunt Durey agreed to be the HRRC liaison for this work.

-Mill Creek Dike and Tide Gate Design: Since the Mill Creek dike would likely be constructed on National Park Service (NPS) property, NPS must review the proposed design options and decide what type of structure to design. Superintendent George Price is consulting with NPS officials on this matter. The Committee agreed that it would be good to get engineering cost proposals from Fuss & O'Neill for two different design options for the Mill Creek dike, both on- and off CYCC property. \$120,000 in Year 2 NOAA funds is proposed for this work. Tim Smith agreed to serve as the HRRC liaison for the Mill Creek work.

-High Toss Road Removal: \$70,000 is proposed in the DER Engineering Design and Technical Services grant to contract with a qualified engineering consultant to conduct technical studies necessary to develop conceptual design plans for developing and evaluations options for removing the High Toss Road causeway across the marsh plain and elevating remaining road segments necessary to maintain access to private residential properties off High Toss Road. The engineering consultant will also develop and evaluate design options and conceptual plans for providing pedestrian access across the marsh to Griffin Island. Steve Spear agreed to serve as the HRRC liaison for this project.

-Low-lying Road Design/Pole Dike Creek Tide Gate Design: The Committee discussed a \$295,000 cost estimate to contract with an engineering consultant to conduct the technical studies necessary to develop permit level design plans for elevating and re-grading low-lying segments of Old County Road, Bound Brook Island Road, and Pole Dike Road, and for installing a culvert with tide control structure at Pole Dike Creek under the proposed DER Engineering Design and Technical Services grant. An additional \$17,000 from the Year 2 NOAA Grant is proposed for this purpose. Don Palladino met with Mark Vincent, the Wellfleet DPW Director to get guidance on what should be included in the Request for Proposals for this work. Hunt Durey noted that the design work should comply with MA stream crossing guidance. Steve Block agreed to serve as the HRRC liaison for this project.

Chequessett Yacht and Country Club (CYCC) Golf Course Mitigation Plans: The Committee discussed allocating \$50,000 in the DER Engineering Design and Technical Services grant and \$50,000 in the Year 2 NOAA grant to develop grading plans to the permit-ready design level for elevation and re-grading of low-lying sections of the CYCC golf course. Initiation of this task is predicated on completion of successful agreement between CYCC and the project proponents, facilitated as described above, to reach a non-binding written agreement between CYCC and HRRC regarding impact mitigation measures for this property. Steve Spear agreed to serve as the HRRC liaison for this project.

-Low-lying Property Survey and Mitigation Plans: The Committee discussed allocating \$100,000 from the Year 2 NOAA grant funds to contract with a qualified engineering firm to provide additional ground surveys, engineering and design studies, and plan development for impact prevention measures for affected private properties. This work is critical for landowners to fully evaluate the available options. Martha Rheinhardt agreed to serve as the liaison and coordinator for this work.

-Permitting: The Committee discussed allocating \$50,000 from the Year 2 NOAA grant to prepare a Development of Regional Impact application to the Cape Cod Commission. The DRI review process will begin within 45 days after the MA Secretary of Energy and Environmental Affairs signs a MEPA Certificate on the Final Environmental Impact Report. Margo Fenn agreed to serve as the liaison and coordinator for this work.

-Cultural Resource Assessments: The Committee discussed allocating \$100,000 from the Year 2 NOAA grant to contract with a qualified archaeological consulting firm to

conduct needed Phase 1B investigations in identified areas of construction disturbance. Deliverables from this task will include a Phase 1B assessment report and, as applicable, modified engineering design plans reflecting cultural resource avoidance and minimization measures. The National Park Service is developing a scope of work for these investigations. Tim Smith and Eric Derleth agreed to serve as the HRRC liaisons for this project.

-Rare Species Monitoring: The Committee discussed allocating \$75,000 from the DER Engineering Design and Technical Services grant to design and conduct rare species monitoring in the Herring River estuary. FHR will recruit qualified wildlife biologists with backgrounds and training in ornithology (bird survey), herpetology (turtle survey), and entomology (stem borer moth survey) to do this work. Tim Smith agreed to serve as the HRRC liaison for this work.

-Administration and Overhead: The Committee discussed allocating \$100,000 from the NOAA Year 2 grant funds and \$75,000 from the DER Engineering Design and Technical Services grant to cover FHR administrative and overhead costs. FHR will contract with a Senior Project Manager to oversee, review and approve technical work and deliverables, and contract with a Grant/Fiscal Manager to provide grant management and project administration. Other administrative costs include office lease expenses, equipment, supplies, and other operational expenses required to support implementation of the above-described tasks.

Don Palladino and Margo Fenn will develop job descriptions and seek proposals for the two new positions, with a goal of hiring the contract personnel in early November 2014. Hunt Durey and Steve Block agreed to serve on a search committee for the Senior Project Manager.

Documents Referred to in the Meeting:

-Minutes of the July 10, 2014 HRRC Meeting