

Appendix B

I. Proposed Concept for Stakeholder Group

A. Background

The Herring River Restoration Project FEIR Certificate contemplates that a stakeholder group would be established by the Herring River Executive Council (HREC) to represent community interests and concerns during implementation of the Project. This group would represent the broad interests of the community including, but not limited to, potentially affected landowners and business owners, recreational users of the Herring River flood plain, shellfishermen, and conservation and environmental advocates.

MOU III ratifies the restoration plan set forth in the FEIR, enables activities necessary to implement the agreed-upon plan, and sets forth roles and responsibilities of an intergovernmental team and supporting independent organization to carry out implementation activities.

MOU III establishes the HREC to coordinate implementation activities, provide policy direction, review and approve the adaptive management plan and ensure compliance with applicable laws. In fulfilling its responsibilities, according to MOU III, the HREC may consult with individuals and organizations such as a stakeholder group and/or science advisors.

B. Designation

In consideration of the foregoing, and to ensure that the HREC has the benefit of input from diverse interests within the community, a Herring River Stakeholder Group (HRSG) is proposed. As required under the FEIR Certificate, the HRSG should represent community interests and concerns during project implementation.

C. Duties and Responsibilities

The HRSG would be advisory to the HREC. They would be charged with communicating community input to the HREC on key implementation issues, such as:

- vegetation management
- traffic management
- recreational access
- environmental monitoring
- adaptive management

D. Membership

The HREC would appoint the members of the HRSG, and designate one member to serve as chair. Membership could be constituted as follows:

- Shellfishing(3)
 - Wellfleet SAB
 - Truro Shellfish Advisory Committee

- Wellfleet and/or Truro Shellfish Constables
- Conservation/Environmental Advocates (4)
 - Wellfleet Open Space Committee
 - Wellfleet Natural Resources Advisory Board
 - Truro Open Space Committee
 - APCC
- Business (2)
 - Wellfleet Chamber
 - Truro Chamber
- Recreational Users (1)
- Chequessett Yacht and Country Club (1)
- Residential Flood Plain Property Owners (3)
 - Wellfleet
 - Truro
- Cape Cod Mosquito Control (1)
- Ex-Officio representative of the HRRC to facilitate communications between the groups

E. Term and Vacancies

Appointments to the HRSG would be for two years. Any vacancy would be filled in the same manner in which the original appointment was made.

F. Administration

The HRSG would meet quarterly or as needed.

A majority of members appointed at the time of any meeting would constitute a quorum.

Members should represent the concerns and views of their constituent organizations, rather than personal views.

The HRSG may report its input to the HRRC and the HREC orally and/or in writing.

Background Information for Formation of a HR Stakeholder Group:

MOU I: The 2005 Herring River Memorandum of Understanding (MOU I) set up a stakeholders group as follows:

“The stakeholder group will be composed of individuals selected by the Town and shall include the Park Service Superintendent or designee. Potential participants could also include representatives of the Congressional District, the Wellfleet Town representative to the CCNS Advisory Commission, private landowners potentially affected by a restoration, Chequessett Neck Yacht and Country Club representatives, members of the shellfishing/fishing community, Cape Cod Mosquito Control, Division of Marine Fisheries, Natural Resources Conservation Service, National Oceanic and Atmospheric Administration

Restoration Center, members of the Wellfleet Forum and other interested parties. The stakeholder group will:

- a. Ensure that the technical committee understands the stakeholders direct interests and concerns and considers these perspectives in their recommendation process.
- b. Communicate with diverse interests within the Town to ensure public and private concerns are well represented and considered by the technical committee in their review process and in the development of their recommendations to the Town.
- c. Provide a forum by which the technical committee's findings can be communicated to the larger community.

Should some level of restoration be deemed appropriate and with the Board of Selectmen's concurrence, the stakeholder group shall continue to be responsible for providing community input into a draft restoration plan."

July 2016 Certificate of the Secretary of Environmental Affairs on the Final Environmental Impact Report (FEIR) for the Herring River Restoration Project: The MEPA Certificate includes the following statement about the formation of a stakeholder group:

"When MOU III is formally executed, a new stakeholder group will be established by the HREC to represent community interests and concerns during project implementation. This group will work with the HRRC, HREC and ROG. It should represent the broad interests of the community including, but not limited to, potentially affected landowners and business owners, recreational users of the Herring River flood plain, shellfishermen, and conservation and environmental advocates. Additional opportunities for public input and comment will be provided during permitting processes including the CCC Development of Regional Impact (DRI) review process. The CCC comment requests additional project information be provided for the DRI review, including the potential impact on the Town of Wellfleet landfill, project budgeting and funding, private property impacts and proposed flood proofing measures."

Further Guidance from MEPA Analyst, Holly Johnson (1-31-17 email):

"The MEPA Certificate directs the Herring River Executive Council (HREC) to establish a forum for stakeholder input during Project implementation. MOU III provides for consultation with stakeholder groups, as needed. The language in the MOU enables the HREC, as an entity, to engage with various groups, including a stakeholder group. This provision of the MEPA Certificate was predicated on subsequent HREC formation of a stakeholder group to provide continued public input subsequent to MEPA review and appropriate given the given the scope and scale of the project and its implementation through adaptive management.

I understand that the HREC has been appointed and is beginning its work. The HREC will determine a process for how interest groups – including, but not limited to, potentially affected landowners and business owners, recreational users, shell-fishermen, and

conservation and environmental advocates - can communicate their concerns to the Herring River Restoration Committee (HRRC), the Regulatory Oversight Group and the HREC. I would encourage the HREC to develop a process for stakeholder input early on in your deliberations to support public engagement and participation.”