

Meeting Minutes

Herring River Restoration Committee (HRRC) Meeting
Cape Cod National Seashore Headquarters, Wellfleet, MA
Wednesday, February 7, 2019, 9:30 am

Attending: HRRC members: Tim Smith, Steve Block, Steve Spear, Hunt Durey, Eric Derleth, Hillary Greenberg-Lemos (after lunch); Others attending: Brian Carlstrom (11:30 to 12:30), Martha Craig, Christine Odiaga, Beth Chapman, John Riehl, Helen Miranda Wilson, Carole Ridley

Administration/Coordination:

The meeting was called to order at 9:30 am.

Minutes of the December 19, 2018 HRRC meeting were approved on a motion by Hunt Durey and a second by Steve Block. The vote was 5-0-0.

The following dates were agreed upon for upcoming HRRC meetings:

Wednesday, March 6, 2019, 9:30 am

Thursday, April 11, 2019, 9:30 am

-FY 19 Budget and Contracts Update

Martha reported that budgeted MassDER spending is on track. A new contract has been initiated with Louis Berger to assist with low road right of way work. The CYCC pump design is budgeted at \$25,000 and estimates of that work are coming in higher. A notice to proceed has been issued for task 1 of a social factors elicitation associated with the adaptive management plan. NOAA and DER are okay with proceeding with the rest of the scope. There are outstanding questions regarding monitoring, low roads work that need to be addressed pending additional information.

Discussion & Updates:

-Project Timeline and Fundraising

The latest project timeline was reviewed. Adjustments were made to some tasks, including targeting early September for the submission of Chapter 91 and 401 applications. It was still the consensus that Q1 or 2 of 2022 was the target construction start timeframe. Carole will revise the timeline accordingly and recirculate. Hunt indicated that capital budgeting will reflect a 2022 construction start. This may need to be adjusted as the project proceeds through permitting.

The quarterly goals for 2019 also were reviewed and will be revised to reflect changes in the timeline.

Steve Spear reported progress on a \$325,000 technical assistance request from NRCS. Because NRCS is not able to fund USGS monitoring, the additional two years of technical support will be substituted.

The NRCS request includes \$10,000 for automated water quality with nitrogen and turbidity; \$150,000 for a geomorphic assessment; \$65,000 for collection of sediment cores; and \$100,000 for tech support over three years.

The March meeting will include a discussion of USGS future monitoring.

A response to the NOAA Federal Funding Opportunity is expected in late March. If selected to submit a full proposal, that proposal is due April 16. It is expected to be a competitive funding round. Funds would be available sometime in October the earliest.

-Permitting

The Cape Cod Commission has received the limited scope application and is reviewing it. The Commission recently adopted a new Regional Policy Plan, and the project will be reviewed under the new plan. A public meeting with the Regulatory Subcommittee could take place in March.

Meanwhile, work will proceed with the development of the project Development of Regional Impact submission. The HRRC reviewed a number of outstanding tasks necessary to complete that submission.

Preparation of the Chapter 91 and 401 applications will begin soon. Further work on sediment supplementation; sediment analysis and fill in wetlands needs to be completed. ESS as permitting consultant will work with the project team to pull together essential information for the applications. Efforts to complete outstanding regulatory compliance reports are ongoing with ESS.

-Update from National Park Service (NPS)

Brian Carlstrom joined the meeting at 11:30. He reported that the Regional Director was at the Seashore in the fall and was given a tour of the project area. The request for \$3M for the Mill Creek dike is proceeding through internal review and has strong support from the regional office.

The issue of road layouts and potential for encroachment on CCNS land was discussed, and the process for dealing with that form of encroachment. CCNS is working closely with the town to look at road disposition issues. Brian also plans to invite other federal agency regional directors to the district to discuss the project.

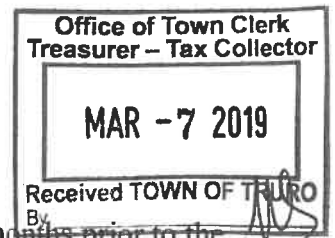
Brian also noted that a recent public records request was closed due to lack of timely response from the requesting party.

-Herring River Stakeholder Group

A meeting of the HRSG has been put on hold due to the shut down and the fact that the HREC has not met. Upcoming meetings will address shellfish and risk management. HRSG's potential role in the social factors elicitation for the adaptive management plan also was addressed. There is a new facilitator from CBI and it will be important to brief her on these developments.

-Herring River Executive Council

Counsel for the two towns and DOI are looking into the steps necessary to 1) allow Truro to withdraw from the HREC, 2) allow the HREC to continue and 3) include any other modifications to the MOU that may be desired by the HREC. Anderson and Kreiger will coordinate the input of the counsels and put forward a recommendation for action, which could include amending MOU III or creating a new MOU. A meeting of the HREC will then be scheduled to discuss this information and potentially take action.



-Regulatory Oversight Group

A meeting of the Regulatory Oversight Group will be targeted for one to two months prior to the submission of the Chapter 91 and 401 applications. Till then, discussions and questions about permit requirements will be targeted to specific agencies.

-Preconstruction Monitoring

Sediment assessments needed for the Section 401 and 404 requirements under the Clean Water Act are ongoing. These efforts are being coordinated with the appropriate national Park Service personnel, since so much of the area is within CCNS.

-Adaptive Management Plan

Tim and Eric provided an update of the Adaptive Management Plan.

The science elicitation website is close to completion, and first will be piloted with a small group of people. The website will gather input from a variety of experts in estuarine science to refine predicted outcomes from different platform policies.

Work on the social factors baseline data collection is getting underway. At some point in the near future, the HRSRG could provide a forum for gathering information necessary for the assessment of baseline conditions and predicted outcomes.

The data gathered by the science elicitation and social factors work will provide the inputs for the adaptive management decision tool used to predict the outcomes and utility associated with different platform policies.

It is assumed that the selection of a recommended platform policy will be needed for the submissions to local Conservation Commissions under the Wetlands Protection Act.

-Status of Other Work Program Tasks:

-CYCC golf course design work

Design work is on track. The committee discussed the timing of work occurring on CYCC property, particularly near the club house. To the extent that work can be undertaken outside of the May-October timeframe, the club can continue to hold events at the clubhouse. A one-year notice prior to construction is probably the most realistic expectation for providing notice to CYCC. Currently CYCC says they book events as much as two years in advance.

Contracts for the pump design are under review.

-Cultural resource assessment

PAL is awaiting authorization from Mass Historical to conduct the proposed assessment on newly identified cut areas. PAL will start as soon as the authorization is issued, weather permitting.

These minutes were approved by vote of the HRRC on March 6, 2019 and submitted by Carole Ridley, Project Coordinator