

## **Herring River Restoration Project Updates – April 2021**

### Environmental Permitting

The following environmental permit applications for the Herring River Restoration Project, Phase 1, have been submitted:

The Town of Wellfleet and Cape Cod National Seashore have submitted to Massachusetts Department of Environmental Protection (MassDEP) an application for Section 401 Water Quality Certification for the Herring River Restoration Project, Phase 1. The permit seeks authorization for dredge and fill activities in Waters of the U.S. in the Commonwealth. The following link provides an application narrative including required forms, and appendices including a separate file of permit plans for each Class 1 project element. The public notice of the application, which is included in the application materials, was published in the Cape Cod Times and Environmental Monitor on April 7th, commencing a 21-day comment period.

<https://www.wellfleet-ma.gov/home/news/herring-river-project>

The Town of Wellfleet has submitted to MassDEP five Chapter 91 Waterways License applications for the Herring River Restoration Project, Phase 1. The license applications seek authorization for dredging and filling or structures located in tidelands (areas below Mean High Water). The following link provides an application narrative including required forms, and appendices including a separate file of permit plans for each license application.

<https://www.wellfleet-ma.gov/home/news/herring-river-project>

A permit application to US Army Corps of Engineers will be submitted this spring.

### Sediment Transport Modeling

New sediment transport modeling confirms that the net movement of sediment in Wellfleet Harbor following restoration will be upstream in Herring River. Kirk Bosma, Senior Coastal Engineer and Innovation Director with Woods Hole Group, presented results on his recent work on sediment transport modeling in Wellfleet Harbor to the Wellfleet Shellfish Advisory Board (SAB) during their January meeting. This work was an expansion to the existing hydrodynamic modeling created earlier by Woods Hole Group and was in direct response to the Wellfleet shellfishing community's request to expand the model to extend throughout most of Wellfleet Harbor, including shellfish grants, the marina area and Mayo Creek. Results from this study are similar to those from the past study: net movement of sediment is UPSTREAM, which will help build up the marsh surface. Sediment particles stay suspended in the water column while circulating through Wellfleet Harbor and do not settle in the harbor. Dr. Mark Borelli, from the Center for Coastal Studies, also presented a new, comprehensive sediment transport study being initiated in Wellfleet Harbor this spring, which will extend over the next 3 years. More information will be presented to the SAB on that project as data becomes available.

The presentation to the SAB can be seen here.

[https://www.youtube.com/watch?v=ABJTZG\\_7IV0&t=1013s](https://www.youtube.com/watch?v=ABJTZG_7IV0&t=1013s) (The presentation begins around 10:00 minutes)

### Construction Management

The engineering firm, Fuss & O'Neill, has been engaged to conduct a construction management assessment for Phase 1 of the Herring River Restoration Project. The assessment will (1) develop recommendations for organizing the bidding packages to select contractors for construction of multiple project elements, (2) develop construction sequencing scenarios and timelines for multiple project elements, and (3) develop options for structuring and coordinating

construction management activities for different project elements. The assessment will provide advisory input for the Town of Wellfleet and Cape Cod National Seashore to ensure that construction activities proceed efficiently and minimize any disruptions on local roadways.

### High Toss Road Layout

The Wellfleet Selectboard intends to lay out High Toss Road, between Pole Dike Road and Duck Harbor Road, as a town way. Although it is a private way, High Toss Road has effectively functioned as a public way and has been maintained by the Town of Wellfleet for many years. The intended lay out of the road as a town way will not alter the customary use or maintenance of the road. The Town will continue to plow the road as it has always done. The Town will, further, be responsible for major repairs of the road – which was not previously the case.

The Selectboard is taking this action in preparation for work proposed to occur in connection with the Herring River Restoration Project. Proposed work includes, but is not limited to: (1) the removal of High Toss Road where it crosses the marsh between Duck Harbor Road and roughly Way #672 (aka Rainbow Lane); and (2) elevation of High Toss Road from Way #672 (aka Rainbow Lane) to just east of Hopkins Drive). Because the elevated road will remain in its current alignment, vegetation clearing will be kept to a minimum. The remainder of High Toss Road from east of Hopkins Drive to Pole Dike Road will remain at its current elevation and alignment. The lay out of the road as a town way is needed to demonstrate the Town’s legal ability to undertake this proposed work, which is a requirement of many potential project funders.

In June, Wellfleet’s Annual Town Meeting will be asked to vote to accept the layout and authorize the Selectboard “to acquire on behalf of the Town by gift, purchase, or eminent domain an easement to use High Toss Road” from abutting property owners. The Town is in the process of notifying abutters and following other procedures required for acceptance of the lay out, as specified in Massachusetts General Law.

### Zoom Meeting Access Information for Herring River Executive Council meeting on Thursday, April 15<sup>th</sup> at 3 p.m.

Join Zoom Meeting

<https://zoom.us/j/97898576536?pwd=anZ2NVpWbmtMUFljVnc4eWIra3l5dz09>

Meeting ID: 978 9857 6536

Passcode: 321592

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