

Herring River Stakeholder Group Meeting

Meeting Summary

June 21, 2018

Approved July 2018

Meeting in Brief

The Herring River Stakeholder Group (HRSG) met for the first time in Truro on June 21, from 5 to 7 PM. The meeting included introductions of members, an overview of the project, and a review of the meeting protocols for the group.

Action Items

Who	What
Members	<ul style="list-style-type: none">• Provide a short bio• Identify key issues and comments for HRSG work planning
CBI & Chair	<ul style="list-style-type: none">• Distribute draft meeting summary• Schedule next HRSG Meeting• Develop an agenda for the next meeting• Collate the biographies for all members

Meeting Opening

Facilitator Patrick Field opened the meeting with introductions of the stakeholder group. All attendees announced their name, affiliation, and how they view the Herring River.

Bill Biewenga, Chair of the Herring River Stakeholder Group, asked for all of the group members to provide a half-page bio with an optional headshot. CBI will compile them and send them around to the whole Stakeholder Group so that people can know a bit more about one another.

The facilitator reviewed the agenda for the meeting.

Herring River Restoration Background

Tim Smith, National Park Service, presented a slide deck on the areas affected by the river, explained the history of the restoration process, outlined the phases of the plan and the intended outcomes of each, and explained the plan for the new Chequessett dike/bridge and its adjustable tide gates. The tide gates will be opened in a phased

approached and monitored over time, with adjustments as necessary. The presentation slides can be found at: _____.

Mr. Smith noted that the Executive Council will make decisions about the tide gates and adjust the schedule of opening and closing them based on the data and recommendations from the restoration committee. In urgent need, e.g. if a storm is coming, the decision-making process is still being worked out. There will be an oversight process for day-to-day management involving the Town, as they will own the dike. Stakeholder Group members emphasized that outlining a clear process and procedure to determine who will open the gates again after the storm should be a high priority.

Restoration Project Reach and Impact

Stakeholder group members had questions about the forecasted impact of parts of the plan. The following questions, comments and responses were made

- Water quality in the upper reaches should not be affected much by the tidal gates and other changes. Only a few meters north of Route 6 will be tidally influenced, as data shows that area was not salt marsh historically.
- If the low tides get lower and the high tides don't increase, the predictions show water would mostly stay in the channel and not fill the marsh surface. Even if the water does not rise into the marsh itself, increasing the low tide flow will still have a flushing effect, which would be particularly beneficial in the lower river where there are nutrients and bacteria present.
- While stormwater management isn't the main focus of the new Chequessett bridge, there are stormwater capture basins on the bridge itself. They're intended to take in stormwater from both the road and the bridge. The basins are planned to have a soil filter to allow for slower drainage and sediment capture before the water reaches the river to reduce some of the stormwater impact of the impervious surface.
- When reopening ditches and channels that are clogged, the current plan will keep all sediment in the system. There is a need to increase the marsh surface elevation, so keeping the material in the system is important. It's not clear yet how much elevation will be gained from the redistribution of these materials, but the team has started to look into where it would go and what the gains would be. The models show that increased sedimentation will occur up, not downstream.
- Currently, the plan accounts for a range between 5 and 25 years for incrementally opening the tidal gates in the new bridge, but will be adjusted based on how the gates perform and the data gathered over time. The adaptive

management plan has various scenarios for how fast and when gates are opened.

- Data projections show that nothing should affect private property structures in the Upper Mill Creek Area and that drainage is projected to be improved with the introduction of low tide into the area – the water will have a place to go.

Restoration Project Funding and Permitting

The project is in the permitting phase currently. Members of the Stakeholder Group inquired about the funding for Phase 1 and raised the following questions, comments, and responses.

- The project is funded through the permitting phase.
- None of the Phase 1 construction or beyond has been funded yet.
- Funding has previously come through NOAA and the National Marine Fisheries Services via a restoration program. There have also been grants from the Division of Ecological Restoration under the state's Executive Office of Energy and Environmental Affairs. Often, this project has received in-kind contributions in the form of staff time and expertise from agency staff.
- A large part of the funding should be coming from federal sources and state sources. Private funding may also come into play, but we don't currently anticipate funding from either of the towns.
- While the current federal administration has been cutting budgets, the funding pool for this particular project still looks solid – FWS, NOAA, and the National Seashore have identified programs that specialize in and fund restoration projects of this sort. There are plenty of reasons to be optimistic about achieving funding.
- Many agencies do not want to fund partially complete projects or ideas, but as this project is entering a permitting phase, it is nearing execution and agencies become more willing to put money down.

Restoration Project Governance

Martha Craig of the Friends of Herring River, gave a presentation on the roles and responsibilities of the different groups related to this process, including how they have been spelled out in the memoranda of understanding between the towns of Truro and Wellfleet and the Cape Cod National Seashore. MOU II established various groups HREC, HRRC, HRSG, and the regulatory oversight group. The presentation reviewed the various roles and tasks that these groups have been tasked with over time, including previous

research, project management, and recommendations. The presentation slides can be found at: _____.

MOU III was signed by Truro, Wellfleet, and the Cape Not National Seashore. Truro recently requested to be withdrawn from the Phase 1 application as almost all of the land affected is private landowners in Wellfleet. Members of the Stakeholder Group inquired about the funding for Phase 1 and raised the following questions, comments, and responses.

- Roles and responsibilities of each town have not changed.
- Truro is not withdrawing support of the project, only their role as permittee on Phase I.
- There was legal advice to the Town of Truro to consider removing themselves from liability in Phase 1, as almost all of the project will be in Wellfleet.
- There are culverts, roads, and some private property within the Truro borders that will be affected in Phase 1. Marshes and other areas within the borders would need to go through the Truro Conservation Commission. Thus, Truro is not just an abutter even if most of the project is in Wellfleet.
- The towns will be working out the jurisdictional complexities and the remaining permitting questions in the coming weeks.

Operating Protocols, Outreach and Next Steps

Mr. Field walked the Group through draft Operating Protocols for questions, suggestions, and any objections. No Group members objected to the outlined protocols.

The Stakeholder Group considered how to best reach out to those they represent to gather information and share out information from the Group.

- There's a possibility of sending a mailing out to abutters in particular but there is a cost associated with that.
- The HRSRG could host an abutters' meeting, dedicated to abutters and explain the various phases and the progression of Phase 1.
- The HRSRG could collect emails from stakeholders and create a mailing list
- The HRSRG could host a meeting for the businesses, as they have questions about the process as well.

There was a brief discussion of topics the Stakeholder Group should be looking at and considering during their upcoming sessions. Topics included:

- Questions about liability and who is responsible if someone wants to sue and who would pay out lawsuits. Business stakeholders that Group represents are especially curious about this.
- Managing ecological and habitat changes.
- Removal of vegetation.
- Shellfish and impacts to shellfishing.

The members will email the Chair and facilitate with topics they want the group to consider. To determine the order of these topics for upcoming meetings, the group will aim to meet again in late July 2018. There will be a Doodle poll sent around to fill out for availability for the next meeting.

Meeting Close

The meeting adjourned at approximately 7 PM.