

Herring River Stakeholder Group

Summary for Meeting #6

March 31, 2020 | 5:30 PM to 7:30 PM

Online Zoom Meeting

Meeting in Brief

The Herring River Stakeholder Group (HRSRG) met on March 31, 2020, from 5:30 to 7:30 PM on the online Zoom meeting platform. The Meeting included a discussion of project updates, an exploration of the virtual meeting platform, a review of the January 15, 2020, webinar of the decision analysis process as applied to Herring River's Adaptive Management approach, a discussion of the role of HRSRG as applied to the Adaptive Management approach, and an overview of future meeting topics and next steps.

A Survey Monkey will be circulated to members in April to elicit input on the HRSRG's role in the Adaptive Management approach and determine the dates of the upcoming two meetings in May and June 2020.

Action Items

Who	What
HRSRG Members	<ul style="list-style-type: none">• Respond to the circulated Survey Monkey to provide feedback on HRSRG's role in the Adaptive Management Decision Analysis Framework, upcoming meeting topics, and upcoming meeting timing.• Provide a short bio to CBI & the Chair if you have not already.• Send comments / corrections for this (March 2020) meeting summary.
Planning Team	<ul style="list-style-type: none">• Update the Survey Monkey poll based on feedback received in this meeting and circulate to the HRSRG.• Circulate the hearing continuation notice to the HRSRG.• Post all slides on the Friends of Herring River website along with the recording of this meeting.

Find details on upcoming HRSRG meetings, as well as prior agendas and materials at <http://www.herringriver.org/Herring-River-Stakeholder-Group>

HRSRG Members in Attendance

Bill Biewenga (Chair)
Moe Barocas
Mike Borelli
Barbara Carey
R. Paul Faxon
Fred Gaechter

Alfred Kraft
Bob Prescott
Gabrielle Sakolsky
Judith Stiles
Mark Wizotsky
April Wobst

Planning and Technical Team members Tim Smith (Cape Cod National Seashore [CCNS]), Elise LeDuc (Woods Hole Group), Carole Ridley (Herring River Restoration Project), Stacie Smith (Consensus Building Institute [CBI]), and Maggie Osthues (CBI) were also in attendance, as were many members of the public.

Meeting Opening

Welcome and Introductions, Agenda Review, Minutes

Bill Biewenga, HRSO Chair, began the meeting and introduced Stacie Smith, CBI facilitator, to review the agenda and objectives of the meeting. In addition to brief project updates, the primary purpose of the meeting was to delve deeper into HRSO members' understanding of and desired role with regards to the Herring River Project's Adaptive Management Decision Analysis Framework. The meeting concluded with a public comment and question period.

The motion to pass the November 2019 minutes passed unanimously. Minutes can be found [here](#) on the project website.

Technical Platform Primer and Troubleshooting (CBI)

Due to impacts from COVID-19, Governor Charlie Baker issued an executive order on March 10, 2020, suspending certain provisions of Massachusetts's Open Meeting Law, allowing for online meetings open to the public in lieu of in-person gatherings.

Meeting #6 of the HRSO took place on the Zoom online meeting platform, with access information and instructions shared in the agenda posted with the public meeting notice on the Town of Wellfleet's website ([here](#)). CBI facilitators, Stacie Smith and Maggie Osthuys, led the HRSO on a tour of the Zoom platform and familiarized members with their meeting controls to ease participation and encourage engagement.

Project Updates - Carole Ridley

Permitting update: The project submitted a Development of Regional Impact Review (DRI) permitting application in December 2019 and held a public hearing on the application on March 9, 2020, hosted by the Cape Cod Commission (CCC) at the Council on Aging. There was strong turnout for the hearing (125 people). Pursuant to Governor Baker's Executive Order Suspending Certain Provisions of the Open Meeting law, CCC has continued the subcommittee hearing on the project from April 2, 2020, to April 30, 2020, and the hearing will be online at <https://www.capecodcommission.org/our-work/cape-cod-commission-members/>. The Town of Wellfleet Selectboard recently adopted an extension period for public hearing for the Cape Cod review to early July to ensure enough time for the hearing process. By early July, the subcommittee must close their public hearing and recommend findings to the full commission.

Herring River Executive Council (HREC): HREC held a meeting in January 2020, focusing on the DRI permitting update and other administrative items. HREC's second quarterly meeting for the year is set for April 16, 2020, which will be a virtual meeting. The Town of Wellfleet has been holding Selectboard meetings virtually as well.

Regulatory Oversight Group: Carole brought the Regulatory Oversight Group to HRSO's attention, highlighting that it is somewhat unique for a project to have a body with this level of technical oversight to serve as a resource to the project. The group was formed in 2016 in accordance with the MEPA Certificate for the Project and is comprised of members from different regulatory or permitting agencies that have review over certain aspects of the project. The group will receive project updates and be involved in reviewing the Adaptive Management plan. The project provided the group with an update on the Development of Regional Impact Review permitting application.

Design & Engineering: As the project goes through its permitting processes, there may be some modifications to project design work and permit-level design plans for the major project elements. There are a wide range of estuary conditions to document baseline conditions that will be monitored through implementation and the Adaptive Management Plan (monitoring efforts are currently on pause due to COVID-19).

HRSG members raised the following questions and comments. Responses and discussion are captured in bullets below:

- An HRSG representative, while appreciative of the information that has been shared with HRSG to date and the educational function that the group has played, raised a concern that the HRSG members were not asking questions, engaging in deliberations, and issuing recommendations to the HREC, as he felt was identified as part of their charge. They raised continuing concerns about potential issues arising from the new MOU IV, and in particular about a lack of clarity on financial liability, even in the face of the Adaptive Management Decision Analysis Framework, requesting to explore this topic at some point in the future, in the format of a conversation among HRSG aiming for consensus and potentially recommendations, as opposed to as presentation and question format.
 - A Planning Team member responded that the presentation and information sharing format was agreed upon early on as a method of bringing all HRSG members, who came into the project with varying levels of understanding, to a similar level of baseline knowledge to help inform their role of making recommendations to HREC. At the outset, HRSG decided to break the information shared into chapters, shared consecutively across meetings.
 - The Planning Team also responded that the membership of the HRSG had recently been re-evaluated by the HREC, during their recent meeting in January 2020, at which point they voted to extend the timeline for appointments to allow HRSG members to indicate their level of interest continuing on. HREC made the decision to maintain HRSG membership encompassing Truro, after the implementation of MOU 4 ([here](#)).
 - The HRSG representative noted his view that it would have been appropriate to ask HRSG to provide input and make a recommendation to HREC on this matter.
 - The HRSG Chair noted that the point about increased participation and active roles of HRSG members is well-taken and highlighted that the Planning Team has been discussing how to be more proactive in eliciting input and discussion from HRSG members in meetings. The Chair noted the value that each HRSG representative has to contribute to the project as well as the need for HRSG members to be more communicative with their constituencies to better inform group conversations and committed to continue to enhance opportunities for dialogue and deliberation among the group.

Understanding Herring River Decision Analysis - Tim Smith and Elise Leduc

Members of the Technical Team - Tim Smith, NPS, and Elise Leduc, Woods Hole Group - reviewed the core principles and components for Herring River Adaptive Management Decision Analysis, Framework including a brief recap of the January 15, 2020, webinar ([here](#)), and outlined the path forward for the project. Then, Tim and Elise turned to HRSG for a group discussion of HRSG's role in the Adaptive Management Decision Analysis Framework and next steps.

- **Brief recap of January 15 webinar:**
 - Humans have evolved to be good decision-makers through the development of mental shortcuts. These shortcuts can manifest in the context of decision-making by categorizing decisions into the "System 1" category of fast, unconscious, everyday decisions, or into the "System 2" category of slow, conscious, complex decisions. Complex system 2 decisions benefit from some structure or methodology like the one being used for adaptive management in Herring River.
 - On the January 15 webinar, the Technical Team demonstrated the application of an Adaptive Management Decision Analysis Framework using the example of a family trying to plan a vacation, exploring how the varied expectations, needs, and constraints of the family group could be analyzed as a list of objectives and list of alternatives to best meet the objectives.
 - The Technical Team introduced a consequence table (see below), a tool to organize information about objectives and alternatives to compare how each alternative would perform against each objective. They explained that within the table, one adds predictive data from a variety of sources to complete the table and compare alternatives against each other for deliberation by a group to explore their options and make an informed decision.

ADAPTIVE MANAGEMENT FOR THE HERRING RIVER

HR Stakeholder Group Webinar: January 15, 2020

DECISION ANALYSIS DEMO

PREDICTING OUTCOMES: CONSEQUENCE TABLE

Original scores								
CONSEQUENCE MATRIX			Alternatives					
Objectives	Goal	Units	Usual Routine	Home - Cook	Home - Restaurant	Hawaii	Friends	Europe
1. Family Drama	Min	% of potential	<ul style="list-style-type: none">• This is where we enter data• Predictions of expected outcomes• Data come from:<ul style="list-style-type: none">✓ Direct Source; <i>Cost of Airfare, Carbon Footprint Calc.</i>✓ Past Experience; <i>Drive Time from A to B</i>✓ Models (mental, conceptual, numerical); <i>Maps</i>✓ Informed Estimates (Elicitation); <i>Judgement of Quality of New Experience</i>					
2. Cost	Min	\$\$\$						
3. Family Time	Max	days						
4. Extended Family/Friends	Max	day/pers						
5. Trip Duration	Max	day	✓					
6. Exercise/Training	Max	miles	✓					
7. New Experiences	Max	0-10	✓					
8. Carbon Footprint	Min	tons C						

- How this Decision Analysis Framework is being applied to the Herring River Project: Tim and Elise explained that the Herring River Restoration project has 2 categories of objectives – ecological and socioeconomic – and slightly different input data is required for decision analysis for both categories. All objectives are being treated equally in how they are used in the decision analysis process.



- For most ecological objectives, the predictive data is sourced from numerical model outputs. In instances where model data is not available, such as carbon sequestration shifts, or smells, those predictive data points are being collected through online surveying of issue experts (expert elicitation).
- For most socioeconomic objectives, such as how public access may change, there is modeling data that can be used as a proxy to complete the consequence table.
- For all objectives, the Technical Team needs to gather data about community attitudes related to objectives and alternatives to help inform the consequence table and collect monitoring data to track changes for all objectives.
- How should the HRSBG be involved with gathering community attitude data around objectives? The Technical Team developed a draft survey to elicit feedback from HRSBG members about what HRSBG's role should be in gathering community attitude data and how the Technical Team should communicate with the public.
 - HRSBG members viewed the draft survey questions and offered recommendations for revising questions including steps to allow HRSBG members more opportunity to provide nuanced feedback in the form of ranking questions and open comment boxes.
 - A member of the Technical Team clarified that the project is not ready to roll out a survey to the larger community, but the HRSBG feedback will help the team to develop that methodology for when the time is right. The project has a team of social scientists to help design this community elicitation process, informed by HRSBG input.

- HRSO members raised questions about the best methods to reach their constituents. This question will be posed to HRSO members in question 8 on the survey, with the understanding that there may be a combination of methodologies employed to best reach the community.

Next Steps - Stacie Smith

Stacie reminded the group that remaining topics identified for HRSO meetings in its initial workplan (developed in the summer and fall of 2018) include: Wildlife and Habitat Impacts, Construction Management and Mitigation and Impacts, and Aesthetics (visual and smell). The Planning Team would like to convene the HRSO for 2 more meetings prior to the end of June, perhaps transitioning to shorter, more frequent meetings overall, and invited HRSO members to each share their views. Members of the HRSO went “around” the virtual table and reported, one at a time, on their thoughts on future meeting topics, meeting timing, and the functionality of the online meeting space. The following summarizes comments made by HRSO members in each of the three categories.

- **Meeting topics:** Members indicated approval of remaining topics and suggested a few additional topics for consideration or further discussion including,
 - a deeper exploration of liability issues
 - the potential impacts of climate change on the area and the project
 - the inclusion of mosquitos and arbovirus in the discussion of wildlife, and
 - strategies to better communicate with constituents.

It was suggested that, in the discussion of liability, the HRSO also explore the ramifications of not acting. (Survey question 12 in the Survey Monkey poll provides a comment area for HRSO members to further suggest or explain additional suggested meeting topics.) It was noted that, as construction begins, the conversations of the HRSO will become more interesting and active.

- **Meeting timing:** Many members indicated a preference for shorter, more frequent meetings. A few members also indicated a preference for meetings during workday hours given the new reality of working from home due to COVID-19. (Survey questions 10 and 11 ask for HRSO members to share more information about their availability, including preferred dates and times for the coming 2 meetings.)
- **Online meeting platform:** There was unanimous support of Zoom as a functional meeting platform. Some noted that it may allow the HRSO to meet more frequently.

Appendix A provides HRSO member comments from this go-around in full, without attribution (lightly edited for clarity).

Housekeeping:

- CBI will update the survey based on feedback received in this meeting and circulate to the HRSO.
- CBI will circulate the hearing continuation notice to the HRSO.
- The Planning Team will post all slides on the Friends of Herring River website along with the recording of this meeting.

Public Comment

Members of the public provided comments, varying from questions about how to be further involved to questions about project impacts to roads and recreation access. Specific comments are summarized below:

A question about anticipated project impacts to road access and involvement in project: A member of the public's family owns a house on Griffin Island Road. They raised a questions about how they can get more involved in this initiative as one of the few people on the other side of the bridge. With regards to Duck Harbor Road, they also posed a question about any anticipated project impacts, as there was a fire a few years ago, and Duck Harbor Road was the only point of egress.

- A member of the Planning Team acknowledged that the member of the public had written a comment letter about this road access question, which has been received by the CCC and will be shared with the Town of Wellfleet and the Cape Cod National Seashore.
- Another member of the Planning Team noted that meeting summaries, posted on the Friends of Herring River website, are a good way to stay up-to-date on HRSR proceedings.
- **A comment about sea level rise impacts and road access:** Building off of the comment about Duck Harbor Road access, another member of the public raised that the Wellfleet Energy and Climate Action Committee is also worried about what roads are vulnerable to climate change and sea level rise. The Committee was going to hire a consultant and is applying for grants to study just that. It was suggested that the concerned member of the public get in touch with the Committee.

A comment about loss of recreation access: A member of the public expressed concern about the loss of recreation access via High Toss Road to the area that is going to be flooded. They cited concerns over lack of parking or access for kayakers to put in anywhere and a discussion they had heard at a CCC hearing about eliminating a kayak launch point. The member of the public stressed that access for recreation is important, but they haven't heard it addressed enough. They noted that potential users may not have a voice because they are too diffuse. They requested to hear more about the recreation aspect of the project and whether members of the public will have access to it. The member of the public also asked: why isn't Herring River a navigable water of the US? Why isn't the whole dyke concept totally illegal because it is a navigable water?

- The HRSR Chair responded with a request that the member of the public reach out to him via email to further discuss questions about kayaking and access, as he is also the recreation representative for the committee.

At the conclusion of these remarks, the Chair adjourned the meeting.

Appendix A: Full Text of HRSO member comments about meeting topics, timing, and formats

(without attribution and lightly edited for clarity):

- The topics would be good to get back on track, and more meetings would be good as long as they are not just informational but are getting into the meat of things that will have some impact as a group. I would like to see that we have an impact, and we are doing this for a reason that will push the process forward. It hasn't felt that way yet. I think that Zoom is a good format for our meetings.
- Zoom works well and can give us more flexibility and capability to hold meetings more frequently. The focus now needs to turn to us actually developing consensus recommendations to the HREC. HRSO should be more than a boxed check on a permitting form for community engagement. In terms of work that we need to do, there are still liability issues to explore, even with adaptive management, and HRSO should consider them in the context of who is going to paying the check. Wellfleet appears to be the party left to foot the bill. HRSO needs to examine it and make a recommendation to HREC.
- The one topic I might consider adding is a discussion more on communication and how we can all better communicate out to our stakeholders. We haven't discussed or encouraged ourselves to share to our memberships in ways that are relevant. I agree with moving away from presentations and believe that Zoom works well. My only question is that, as we are doing these now remotely, is it possible to do them earlier rather than evening hours?
- The remaining topics are good ones, and, as much as I am interested in wildlife aspects, I think that construction and aesthetics will be big and may involve controversy. I agree with the suggestion to hold a follow up conversation about liability, as it is still an unanswered question for many in the community. This Zoom experience is working well, and I also agree with shorter, more frequent meetings to keep the focus and energy moving forward.
- Zoom is the platform that most people use. In the context of trying to move ahead with more recommendations and definitive discussions, more meetings would facilitate that. One topic I would like to talk about in future meetings is climate change and how this project intersects with climate change. Every town has formed a climate change committee - I'm on the one in Truro. Every time I talk about this project, I am always asked what about its climate impact. That's of interest to my stakeholders.
- Zoom is a great platform; shorter meetings would be great and more frequently is fine. Holding meetings earlier in the day would be great. Are mosquitos and arbovirus considered part of wildlife?
 - Yes. There was interest in having HRSO member Gabrielle Sakolsky help prepare information and materials on the topic of mosquitos within wildlife.
- The remaining topics are fine, and I agree that climate change is a really interesting idea. I support holding shorter, more frequent meetings during regular work hours. Zoom is good. If we are going to keep with the 2-hour meetings, could we dedicate some of the time to touch on some of the discussions that people are wanting to start? It could get into a lot of sidetracks, but there could be benefit in dedicating a short amount of time to talking about

a proposed topic to see where it's going to go as opposed to dedicating whole meetings to particular topics.

- I am looking forward to following through with what topics are on the list. The Planning Team has done a great job presenting thus far. A little more structure around HRSO's role in making decisions and recommendations would be helpful. Zoom is great, and shorter meetings are good.
- I don't want to overly stress this, but the business community right now is focused on survival, so let's not ask too much of them. Bill said something at a meeting recently that I took to heart that maybe should become the context of our dialogues: "doing nothing is not an option." If we make that part of the discussion, we can talk about what to do about legal liability without it becoming a way of killing the project. Maybe we need a better understanding of what happens if we do nothing, including legal ramifications and constraints. I would like an understanding of the longevity and issues of the existing structure. What are the new laws that have come into place that would prevent us from just doing a repair and have that as part of our focus. Also, it is my understanding that, when construction begins, our conversations will be a lot more interesting. This is all theoretical, and I am looking forward to the reality of it.
- I cannot disagree with anything that has been said, and I especially agree that we can't not do something. Our waters are designated as degraded waters, which is a huge detraction. We cannot say, "Come to Wellfleet, the land of degraded water." I would like to dig into the liability of doing nothing. Who comes into talk about that? How do you mitigate that? There are going to be risks, and HRSO needs to discuss it and understand it. If the HREC could come up with a response to liability questions, it would be helpful and put the discussion to bed. We have had numerous discussions about wildlife or shellfish, and I am unsure how we can have broader communication with our constituents about what we have covered. Mosquitos is an excellent topic, and there are more than one species involved. It would be great if the HRSO could explain what the impacts and benefits are likely to be with regards to mosquitos. Shorter meetings in the middle of the day might work well.
- These thoughts are reinforcing my own. Constituent contact is a topic worth considering again. We have already touched upon the wildlife/mosquito concept in this discussion, and I think that's a good idea for our next topic. As far as hours are concerned, I am pretty flexible. Now that we have a different meeting format, we can run a poll to get a better sense of our group's availability. Climate change is a good topic and something we could get into more fully to get into in October after hurricane season, when it is top of mind. Zoom seems to be a good format. This may be the best meeting we have had because we are getting everyone's ideas and opinions out. We are not all going to agree with each other. There is the old adage that, if 2 people always agree on everything, 1 of them isn't necessary. As far as revisiting liability, that was the first topic we undertook a while ago. A lot will be worth revisiting as we learn more or run into different issues. Now that we have different diseases coming from mosquitos, it is something that will want to revisit. Liability is one of those issues as well. Maybe we could address liability in November or December after climate change.