

Meeting Minutes
Herring River Executive Council (HREC)
Thursday, March 17, 2021, 3:00 pm

Virtual meeting via Zoom

HREC members present: Geoff Sanders, Helen Miranda Wilson, Janet Reinhart; Coordinator: Carole Ridley; Others present: Tim Smith, Christine Odiaga, Martha Craig, Bill Biewenga, Gail Ferguson, Dale Rheault, Al Kraft, David Koonce, Laura Runkel, Paul Faxon, John Portnoy, Barry McLaughlin

Minutes

Following the meeting welcome and introductions, the minutes of December 16, 2021 were approved by consensus of the three members present.

Herring River Restoration Project Update

Carole Ridley provided the following project updates.

Permitting Update:

- Pending receipt of a final determination letter from Natural Heritage and Endangered Species Program, Notices of intent will be filed with the Wellfleet and Truro Conservation Commissions, respectively, in the coming weeks. It is anticipated that a joint hearing of the Wellfleet and Truro Conservation Commissions could be held in early to mid-April.
- Town of Wellfleet and Cape Cod National Seashore have submitted an amendment request to MassDEP. The requested amendment would clarify that the Seashore, as a federal agency, cannot agree to indemnify the Commonwealth.
- Chapter 91 licenses will be issued once the Conservation Commissions have issued their Orders of Condition.

Fundraising Update:

The support of agency partners, as well as the state and federal delegations, has helped to move several funding opportunities forward.

- A funding request to the Natural Resource Conservation Service of USDA has been submitted through the Cape Cod Conservation District for the Cape Cod Water Resources Restoration Project, which includes the Herring River Project as a major component. The MA Congressional delegation sent a letter to NRCS in support of this request, with special mention of the importance of the Herring River project. Now that the federal budget has been approved, a decision on funding could be made soon.
- With the federal budget in place, an announcement of the USFWS North American Wetlands Conservation Act grant to Ducks Unlimited is anticipated to occur on schedule this spring. The \$2M will be used for project-related vegetation management.
- MA Division of Ecological Restoration has included \$15M for construction funding in the state capital plan. The FY23 allocation request of \$3.5M will provide non-federal match.
- The NOAA Coastal Restoration program will be issuing a funding request for which the project expects to be very competitive.

Possible Town Meeting Actions:

- Wellfleet Town Meeting will have a single article for the taking of temporary and permanent easements for low road work. The Town has notified all property owners and is working with them now to prepare for Town Meeting.

Wellfleet and Truro Inter-municipal Agreement

- To accommodate a portion of roadwork in Truro, the Truro and Wellfleet Select Boards are discussing the terms of an inter-municipal agreement. As terms of the agreement, Wellfleet will construct the road work to be funded by the project, Truro will assume long term maintenance, and will obtain the easements needed from one private owner.

Construction Management Planning

- Final design plans are being developed for the Chequessett Neck Road bridge
- Planning for construction management and grants administration is ongoing in consultation with the Wellfleet Department of Public Works.
- Planning for pre-construction vegetation management is underway.

The proposed project timeline is to begin construction on the Chequessett Neck Road bridge in 2022. This would require that the project element go out to bid in the spring, with a contractor selected in the summer. Work on the low roads and golf course would proceed roughly a year later.

Land Exchange Update:

Geoff Sanders reported that Lauren McKean and Brian Carlstrom are preparing a response to a land exchange proposed by the Town. Helen Miranda Wilson noted that the Selectboard had met in Executive Session to discuss a possible land exchange. Ms. Ridley noted that this matter does not require action and the upcoming Town Meeting and should not delay proposed construction activity in 2022.

Herring River Stakeholder Group charge and appointments

Bill Biewenga, Chair of the Stakeholder Group, presented three nominations to fill open positions on the Herring River Stakeholder Group:

Ethan Estey, Herring Warden
Gail Ferguson, Business representative
Will Sullivan, Harbormaster

Ms. Wilson moved to vote on the appointments, and Janet Reinhart seconded the motion, and the roll call vote was 3-0-0 in favor.

Ms. Wilson moved to vote to appoint Ethan Estey as Herring Warden, Gail Ferguson as business representative, and Will Sullivan as Harbormaster to the Herring River Stakeholder Group for two-year terms ending December 31, 2023. Ms. Reinhart seconded the motion and the roll call vote was 3-0-0 in favor.

HREC Member Announcements:

There were no member announcements.

Public Comment

Laura Runkel asked about the total amount of funding needed and whether it might come from NRCS. Ms. Ridley explained that it is unlikely the entire amount could come from NRCS, and also that NRCS provides financial assistance for construction costs that have a non-federal match requirement, and technical assistance for project management costs that do not require a non-federal match.

Mr. Biewenga asked about the impact of the Duck Harbor overwash on Eastern Box Turtles, as he has received an inquiry from a Stakeholder Group member about turtle deaths due to the overwash. He asked if a similar impact could result from tidal restoration. Mr. Sanders reported that the Seashore is

aware of the incident at Duck Harbor. He stressed that this is a very different situation that with tidal restoration, which will happen incrementally with monitoring. He also noted that the project team under the leadership of Tim Smith developed a Habitat Monitoring Plan that is being reviewed and will be approved by Natural Heritage and Endangered Species Program and will encompass Eastern Box Turtle.

Martha Craig noted that project construction funding is expected to come from state and federal sources, and not the Town of Wellfleet.

Next Meeting Dates

The following meeting dates were agreed to for 2022, with other meetings to be scheduled if needed:

Thursday, June 16, 2022, 3:00 pm

Thursday, September 15, 2022, 3:00 pm

Thursday, December 15, 2022, 3:00 pm

Adjournment

The meeting adjourned at approximately 3:45 pm.

Approved by HREC on June 16, 2022

Submitted by Carole Ridley

Herring River Executive Council

March 17, 2022

The meeting will be recorded by the HREC. Anyone else desiring to record the meeting may do so only after notifying the HREC and may not interfere with the conduct of the meeting in doing so.



Agenda

- Welcome and introductions
- Approval of minutes: December 16, 2021
- Herring River Restoration Project update
- Updates on land transfer between Town of Wellfleet and Cape Cod National Seashore
- Herring River Stakeholder Group appointments
- HREC member announcements
- Public comment
- Next meeting dates
- Adjourn

Approval of Minutes

- December 16, 2021

Project Updates

Permitting

- NOIs Wellfleet and Truro
- WQC amendment
- Ch 91

Project Updates

Fundraising

- NRCS Small Watershed Program – Federal delegation support
- NAWCA \$2M grant – Ducks Unlimited
- MassDER
- NOAA

Project Updates

Town Meeting Actions

Wellfleet - Truro IMA

Pre-Construction Planning

Final Design

Construction Management/Grants Administration

Vegetation Management

Project Updates

Estimated Timeline (pending permits & funding)

- Bid package - CNR (Spring 2022)
- Contractor selection/contract (Summer 2022)
- Site mobilization and vegetation work (late Fall 2022/Winter 2023)
- Steps repeat a year later for Low Roads and CYCC (Mill Creek WCS could be sooner)

Town & CCNS/NPS Land Transfer

HRSRG Appointments

The HREC is asked to vote on the following nominations:

- Ethan Estey, Herring Warden
- Gail Ferguson, Business representative
- Will Sullivan, Harbormaster

HREC Member Announcements

Public Comments

- (15 minutes)
- *Any discussion of an issue not on the agenda that is raised in the public comment section shall be limited to whether that issue should be placed on a future agenda.*

Next Meeting Dates

- Thursday, June 16, 2022, 3:00 pm
- Thursday, September 15, 2022, 3:00 pm
- Thursday, December 15, 2022, 3:00 pm

Adjourn