

Herring River Restoration Committee  
February 21, 2008

Members in attendance: Gary Joseph, Chairman (Wellfleet), Steve Spear (NRCS), Eric Derleth (USFWS), John Portnoy (CCNS), Charleen Greenhalgh (Alternate Truro)

Others attending: John Riehl (HRTC), Carrie Phillips (CCNS), Hillary Greenberg (Wellfleet Health & Conservation Agent), Gordon Peabody (Chairman HRTC)

Regrets: Tim Smith (CZM), Steven Block (NOAA)

Meeting called to order at 10:05 AM

Minutes of the January 29<sup>th</sup> meeting were approved unanimously with a correction on Heather McElroy's spelling.

#### I. Southeast Region Aquatic Habitat Restoration Meeting

Meeting will be held March 6, 1-3 pm at Department of Environmental Protection (DEP), Southeast Regional Office. Peabody was asked to assist with the presentation, given that he has had a lot of experience with this activity. The meeting purpose is to provide an overview of the restoration to the state and federal regulators as well as the Cape Cod Commission. Feedback will hopefully be given on preparation of documents for permitting, outstanding issues, and concept. Discussion ensued regarding social issues. NEPA and MEPA will cover public concerns and public outreach.

Smith and Derleth will view list of attendees and invite others as they see fit. Smith is prepared to make the presentation along with others. Power point presentations have already been crafted for the broad issues. We specifically want to discuss regulatory issues at this venue. A change in existing presentations may be necessary. MEPA/NEPA process should also be discussed as this is a complex multi phase project utilizing adaptive management techniques

Riehl, Portnoy, and Peabody could provide an overview of the project while Smith will provide a regulatory overview. The goal is to provide information in preparation for permitting documents, so the regulators have an understanding prior to receiving documents. We still do not have specifics to share. We do not want to present this as a segmented project for permitting purposes although we do want the understanding to be that it will take several years to carry out some tasks. Large maps will be brought to refer to during discussion.

Segmentation issues, water quality, MEPA/NEPA, role and coordination with local permitting agencies, adaptive management, state-listed rare species, existing conditions, proposed conditions, (transitional benefit ratio?), current lack of sustainability, upland disturbance, CYCC golf course reconfiguration, amounts of fill

exceeding wetland thresholds, Section 106, Massachusetts Historical Commission, and cultural resource assessment should all be covered in the presentation. Presentation will be crafted and reviewed over email.

Peabody is to be contacted if the committee would like his assistance in giving the presentation.

Phillips and Portnoy will have a discussion with the Park archeologist and historian to bring them up to speed on the project.

## II. Hydrological Studies for Mill Creek

Woods Hole Group (WHG) is moving ahead with the 2 dimensional modeling. When this is complete they will look at Mill Creek in greater detail and it could be an add on to the existing Town of Wellfleet contract. This work is beyond the current scope. CZM, Wetlands Restoration Program has some money to add to the existing budget. Current plan is to finish modeling as planned with or without a dike at Mill creek then see if we want to do more hydrology after we see how the system will respond. CZM money may be used for scoping for MEPA/NEPA as the money is not enough for the hydrological studies and we will need deliverables back by a date certain. USFWS has around \$10,000.00 available at Coastal America for possible additional model runs. NPS supplied groundwater information to WHG for use in modeling efforts and to aid in assessment of ground water rise.

## III. EIS and EIR

Environmental Impact, Statement of Work Phase I draft document reviewed for submission to Louis Berger Group (LBG). It is hopeful that CZM, Wetlands Restoration Program money could cover the ENF & EIS outline, EIS Chapter 1, and consultation with HRRC. Relationship of HRRC should be put into all official documents. When dealing with contractors HRRC could be used as applicant. The Towns and the Park will be coapplicants for permitting activities.

Phillips will send note to Smith regarding Chapter 1. Final draft will be completed after scoping.

Purpose, need, and objectives may have already been covered in the Conceptual Restoration Plan and could be pulled from this document for use in Task 2, Chapter 1 of the draft EIS, Statement of Work.

Phillips will check with Gillham about competitive bidding, using different consultants for different pieces of the EIS/ENF and associated language in the draft EIS, Statement of Work. Gillham could also provide information on whether MOU's need to have cooperating partners on the cover of permitting documents. Gillham may also know if cooperating agencies will be NEPA compliant without MOUs.

Committee members will email Tim with commentary regarding omissions or necessary changes in regards to the Statement of Work.

#### IV. CYCC

Review of draft letter to be sent to potential charrette participants. Brief discussion took place on acquiring money for CYCC relocation and alternatives for relocations. CYCC has draft letter of invitation to charrette in their possession to contemplate. At meeting attendees will be brought up to speed on the restoration project and be given a brief history of CYCC negotiations to date then tasked with finding ways to raise or acquire money for the relocation. It may be beneficial to hire a professional facilitator to lead this meeting. CYCC will be asked if they want to sign the letter of invitation along with Gary Joseph. The color brochure produced by CZM, Wetlands Restoration Program will be distributed to participants in the mailing along with the letter. CYCC will be asked if they object to a facilitator. A date will hopefully be selected in April.

David McGowen will be invited to the next HRRC meeting to discuss funding opportunities and current funding allotted from NOAA through CELCP. The HRRC should ask the Mass Congressional Delegation for support and guidance, given their past support for the project and CELCP funding.

#### V. "Friends of the Herring River"

Organization will be needed to start a newsletter to inform more of the public, to gain more public involvement, for fund raising efforts, public relations, and to work with elected officials both state and local. Discussion about how to acquire members ensued, the Wellfleet Forum was mentioned as an avenue to solicit membership and share information. Ideas floated were word of mouth, newspaper articles, and field trips.

Charleen will investigate "Friends of Pleasant Bay" and "Pleasant Bay Alliance" as model for forming a friends group for the river.

The next meeting will be held April 3, 2008 at the seashore headquarters at 10AM.

The meeting was adjourned at 2:50 PM

Respectively submitted,  
Hillary Greenberg