

Herring River Restoration Committee  
25 March 2009  
12:00pm  
CCNS Headquarters

Members Present: Tim Smith, Eric Derleth, Mark Adams, Carrie Phillips, Steve Block, Steve Spear, Charleen Greenhalgh, Gary Joseph, Hillary Greenberg

Other Present: Jack Whalen, John Riehl, Margo Fenn, Maggie Giest, Hunt Durey

I. Project Coordinator Position

A. Selection

All members in favor of hiring APCC as project coordinator.

B. Agreement

Agreement was signed to hire APCC as project coordinator. Geist outlined the agreement and the role of APCC. Fenn will now assist in crafting the agenda. A documentation list will be created to keep the Committee on task. It is their hope that we can move forward in an organized fashion. Fenn will call all members individually to see what each member is responsible for, who is managing which contracts, technical and regulatory data holders, and the future to do list. Hunt recommended conducting a needs assessment to further advance the EIS. A good EIS has upfront all impact topics, all impact topics get evaluated, or removed as part of the EIS process. All work must document the EIS process. Smith will provide phone numbers and email addresses of all committee members to APCC. Fenn will then call and email questions.

II. CYCC

A. Berger Group Contract

B. New Design Status

As reported by Derleth and Smith, from mtg with CYCC on 3/19: NHESP has given additional insight to where new development can occur. Their recommendations were as follows: maintain as much untouched upland as possible, use as much of the developed land as is possible. These constraints were given to Howard Mahr, golf course architect. Soil investigations still need to be completed. Locations were identified for borings. Access can be from cart paths or preexisting paths. Spear inquired about enhancement of Eastern Box Turtle habitat on the golf course. It may make sense for representatives from all agencies and stakeholders to review the five golf course alternatives as there is much interplay amongst agencies. Berger will soon be presenting a timeline of activities. The MEPA office will be convening the TWG shortly as well. CYCC would like to know whether replacement of Eastern Box Turtle habitat must occur on the CYCC property or if it is possible to mitigate elsewhere. Mahr was encouraged about elevating holes 7 & 8. Most of the wetlands on the CYCC course are Wellfleet jurisdictional only, not DEP. The Wellfleet Conservation Commission will be kept abreast of advances in alternative course designs.

Berger will have a geologist available during the boring to ensure there is a proper understanding of the subsidence of the peat so that we can better understand how the fill will settle over time. Redoxymorphic features will also be reviewed and documented on soil logs. Soil will be tested about every ten feet.

### IIIa. NRCS Cape Watershed Plan

Money may be made available for planning, design, and construction. This is about 4.7 million that could be made available for the Herring River Restoration. This money may be made available over a decade or not, this is still waiting to be heard. There is a lot of promising movement on this. The plan still needs to go to the house and senate committees. This is FY09 monies. Local Cape folks including: County Commissioners and Coastal Resource Committee members, will need to determine local priorities. Decision timeline is unknown, Geist will update the committee by an email. Money will need to be obligated by September 30<sup>th</sup>. Constrains and flexibility of money will need to be outlined by NRCS.

### III. Hydrodynamic Modeling

#### A. Presentation by Woods Hole Group

Contract will be wrapped up after this presentation and receipt of final deliverables. The model is fully developed with respect to salinity and hydrodynamics. A cd will be given with the report that contains: tables, graphs, and useful data. It will serve as a portion of the executive summary. Bathymetry, topography, salinity, atmospheric conditions, culverts and structures were all reviewed in order to properly calibrate the model. The model approach entailed: Model calibration, model validation, existing condition simulations under normal tide conditions, storm scenarios, and sea level rise, Alternatives were developed and run, and supplemental data was collected with visualizations. Alternative involved: Removal of all anthropogenic features, Optimization of dike opening; 10 meters to 100 meters, and removal of flood tidal shoal. The shoal was 6200 cubic yards of material. Once removed, changes in velocity were observed. Total flux was not changed. The attenuation if the tide was also unchanged. More water was able to flow out through the dike with the shoal removed. The shoal proved to be not so important.

Summary: Dike openings greater than 30 meters, at current invert elevation, indicate diminishing returns related to tidal attenuation. Dike openings greater than 10 meters width cause overtopping of high toss road. The hypsometry of the mid herring river sub basin contributes to substantial tidal attenuation within this sub basin.

Future alternative discussions include: sediment transport model, assessment of dike invert elevations, elevation of High Toss Road constriction, elevation of Mill Creek options and impacts, impacts of rainfall events, vegetation changes, channel modifications, and rainfall, salinity, and fecal coliform simulations, sea level rise based on historic pattern and IPCC predictions.

Discussion ensued about High Toss Road and the possibility of its closure. Greenberg will look into the process for road abandonment. Smith inquired whether

the HRRC would want Woods Hole Group to be present at the EIS/EIR alternative analysis workshop. The group seemed to think this would be useful. Phillips commented that money expended from the NPS must be used to further the EIS/EIR. All funding decisions must reflect this.

B. Vote to Authorize Payment to Woods Hole Group

All members in favor of paying Woods Hole Group contract.

IV. EIS/EIR

A. Consultant Contract Status

Contract with Berger to scope out the EIS has been signed and they have been authorized to proceed. It will take them around six weeks to respond. Phasing the project was discussed, based on comment from Mark Forrest at the past meeting that more money might be coming in and a window may be available to receive such funds if we had a completed MEPA/NEPA for Chequessett Neck dike reconstruction. Phillips spoke with NPS NEPA compliance folks regarding phasing. The phase that would be pulled out would likely be the main dike structure with enhanced drainage of the floodplain. Scale, scope of effects, diversity, party responsibility were all discussed as a part of an EA. It is not impossible, scoping may not need to be redone, a notice of work would be relative. They thought an EIS would still be needed and this would take at least one year to complete. The primary time savings would be in the form of a smaller alternative evaluation. This may actually prove more costly and time consuming in the end. NOAA and USFWS also thought similarly. HRRC unanimously decided phasing was not beneficial at this time to our forward momentum.

IVa. TWG

Discussion ensued on the TWG. The first meeting should commence in Wellfleet with a potential canoe/kayak trip on the river and then a more thorough review of the project. HRRC should be more proactive in deciding upon a process for the TWG and associating permitting activities.

B. Timeline Schedule

V. Friends Of Herring River

A. Update: 501C3 paperwork will be finalized in April. Joseph and Chapman met with Truro Selectmen. Their main message was “do not forget about abutters.”. A meeting will be set up with Truro abutters this spring or early summer. Two kayak trips are planned with co sponsorship from the Mass Audubon on May 13 and May 20. Jeff Hughes, Herring Warden has carried out a prescribed burn near the Bound Brook Island road crossing. Worldwide interest is being generated for this project and the friends group. Spear recommends sending personalized invitations to all regulatory agencies who have an interest in this project.

\*Hunt Durey will deeply miss Smith on his staff but the States involvement in going forward will include a down period. Hunt will fill in when possible and intends to still spend \$43,715 in state FY09 alone to fund studies and work. The Committee truly appreciated all of the work CZM, Wetlands Restoration Program and Smith have done to advance this restoration opportunity.

VI. Approval February 19, 2009 meeting minutes  
Unanimous approval with correction of Fenn spelling.

VII. Next Meeting  
15 April 2009, 12:00 pm CCNS Headquarters