

**Meeting Minutes  
Herring River Executive Council (HREC)  
Thursday, September 17, 2020, 3:00 pm**

**Virtual meeting via Webex**

HREC members participating: Janet Reinhart, Maria Broadbent, Brian Carlstrom, Geoff Sanders, Helen Wilson; Coordinator: Carole Ridley; Others present: Tim Smith, Martha Craig, Christine Odiaga, Beth Chapman, Denise Coffey, Suzanne Paton, Nils Wiberg

-Welcome and introductions

-Meeting minutes of August 26, 2020 were approved by unanimous consent of members present.

-Herring River Restoration Project –

HREC members agreed to take up the Duck Harbor Parking Lot agenda item first, with a presentation from Nils Wiberg, PE, of Fuss and O'Neill.

Duck Harbor Road Parking Lot:

Carole Ridley introduced the topic as related to the land transfer process. The Duck Harbor Road parking lot area will be the site of temporary construction staging, and then upon completion will provide ADA accessible parking and access to the portage and other public access features on the Chequessett Neck Road Bridge. A presentation of the temporary and permanent use of the site is intended to lay the groundwork for a discussion between the Seashore and Town about long-term ownership of the parking area.

Brian Carlstrom noted that the parking area is in the Seashore boundary. It would be possible for this feature of the bridge to remain in National Park Service (NPS) ownership, but it could be simpler and beneficial to the project if it could be included in the Town's right of way. This would require that the site be accounted for in the land transfer process.

Nils Wiberg presented a series of slides that described the area. The Duck Harbor Road site is entirely within the Seashore boundary, but the town road right of way crosses a portion of the parking area and proposed walkway.

Mr. Wiberg showed the .97-acre limit of disturbance within which trees will be cleared and which will serve as a temporary construction staging area. Upon completion of the project, a parking area with six ADA accessible parking spaces will be built, with steel-backed timber guardrails and other required design features. The surface will be "gravel pave" which is a form of permeable pavement that is ADA compliant. The parking area will be supported by an embankment that has at 3:1 slope. Vegetation and erosion control blankets will stabilize the slope. An ADA accessible path will follow a 5% grade to the portage stages on the river-side of the bridge. The pathway will also be gravel pave.

Long-term maintenance issues include: stormwater runoff from Chequessett Neck Road onto the parking area and pathway, which could require maintenance. The gravel pave surface would require regular maintenance and could be damaged by snow plows. Biological growth could occur on the path and make it slick, and would need to be checked.

Helen Miranda Wilson suggested adding catch basins to deal with the stormwater issue. She

asked if the river-side of the embankment was prone to scour. Mr. Wiberg said that extension of the stone armoring of the bridge abutments could limit scour, but that could create an issue for permitting agencies that seek to minimize armoring.

Mr. Carlstrom noted that the temporary staging could easily be accommodated through NPS permitting requirements, but that the long-term use of the parking area would be more difficult. There could be benefits to having the parking, path and bridge all within the town right of way, which would require that additional parcels be included in the land transfer process.

Ms. Wilson noted that the Town and NPS can work this out collaboratively. It was agreed that the question of ownership would be incorporated in the ongoing land transfer discussions. Mr. Carlstrom requested that the total area used for parking, path and embankment be quantified. Mr. Wiberg will develop that information.

#### Land Transfer Update:

Mr. Carlstrom reported that work was ongoing. The parcels included in the areas of project encroachment have been identified, and the NPS and Town are sharing information about possible parcels the Town could transfer to the NPS.

Ms. Wilson noted that the Town and NPS are poised to work through the process collaborative. Mr. Carlstrom affirmed the collaborative nature of the process.

#### Permitting Update

Ms. Ridley reviewed PowerPoint slides regarding permit applications that are in development and are scheduled to be submitted in calendar 2020. These include:

- §401 Water Quality Certification – MA Department of Environmental Protection
- Ch. 91 Waterways – MA Department of Environmental Protection
- §404 Individual Permit – US Army Corps of Engineers
- Federal Consistency Review – MA Coastal Zone Management
- Wetlands Protection Act (Draft needed for §401 Water Quality Certification) – Wellfleet and Truro Conservation Commissions

The NPS is not required to file for Ch. 91 review, but would be working with the Town on the other permits listed.

Mr. Carlstrom noted that the Development of Regional Impact approval earlier in the year provided momentum and help to compile information that will be used in subsequent applications. He also noted that the NPS has additional internal permit requirements that are being pursued.

Janet Reinhart noted that she was encouraged by the degree of progress and thanked the project team members for their efforts.

#### -HREC member announcements

Ms. Wilson asked if there was any information that could be shared on the status of Article 30, the High Toss Road right of way acquisition, which was pulled from the warrant. Maria Broadbent indicated that Town Council had advised that the article was not ready for Town Meeting because certain procedural steps had not been completed.

Ms. Ridley noted that it would not be a problem for the project if the article could be added to

the 2021 Town Meeting.

-Public comment

There was no public comment

-Next Meeting dates

Thursday, December 17, 2020, 3:00 pm

-Adjourn

The meeting adjourned by unanimous consent at approximately 4:45 pm.

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Minutes approved by unanimous consent of the Herring River Executive Council on December 17, 2020

Submitted by Carole Ridley, Project Coordinator