

## Wellfleet Harbor Mitigation Plan Timeline

Date	Document	From	To	Summary
September 16, 2021	Letter	TOW	USACE	Support for Town of Wellfleet application for maintenance dredging.
September 17, 2021	Letter	TOW	USACE	Provided possible options to satisfy USACE mitigation requirements including Herring River Restoration Project, HDYLTA Trust, Wellfleet Conservation Trust, Reactive Protective Barrier, Pre-restoration assessment of spat settlement in Herring River estuary, Wellfleet efforts regarding water quality, salt marsh restoration, Mayo Creek, Hawes Pond, Shellfish aquaculture.
October 18, 2021	DTF meeting minutes			No discussion on permit.
October 27, 2021	Letter	USACE	GEI	USACE stated that HDYLTA Trust and Wellfleet Conservation Trust had potential to be compensatory mitigation to offset the impacts of dredging. USACE provided a template for the requirements of a mitigation plan. This letter was overlooked when it came until brought to our attention on January 10, 2022.
November 8, 2021	DTF meeting minutes			No permit activity to report.
December 6, 2021	DTF meeting minutes			The lobbyist is active with USACE and the congressional delegation. Congressman Keating has a meeting scheduled with Asst. Secretary of the Army to discuss the permitting process for Area 2, the mooring field. Senator Markey has recently opened discussion with USACE. The Corps expressed to him that they felt positive about reaching a resolution; they need time to touch base with the New England Division people.
January 10, 2022	DTF meeting minutes			We learned today was that the Corps had responded to our letter with their letter on October 27. It was a 2-page letter with 27 documents (i.e. the mitigation plan template) enclosed, pushing us toward formal mitigation. This letter had been overlooked when it came in.
February 14, 2022	DTF meeting minutes			There was a recent notice from USACE stating that in 2 weeks they may withdraw our application if certain conditions are not met. There was a recent call on this issue with USACE, GEI, and Will Sullivan. It was a working call and USACE explained various positions we could take with questioning the calculations on the mitigation credits and how that credit was derived.
March 14, 2022	DTF meeting minutes			Permit updates: In a Feb 9 discussion, USACE noted that HDYLTA Trust and Wellfleet Conservation Trust are considered acceptable options. Feb. 18 strategy session (Congressional delegation, GEI, Town representatives, Town's lobbyist) discussed the (2) acceptable options.
April 7, 2022	DTF meeting minutes			3.1 -3.7 Extensive discussion about HDYLTA Trust and the other 2 parcels. 3.2: HDYLTA Trust and Wellfleet Conservation parcels being reviewed to determine if HDYLTA alone or in conjunction with the other parcels will generate sufficient mitigation credits.

Wellfleet Harbor Mitigation Plan Timeline

Date	Document	From	To	Summary
May 9, 2022	DTF meeting minutes			3.2: HDYLTA Trust and Wellfleet Conservation parcels being reviewed to determine if HDYLTA alone or in conjunction with the other parcels will generate sufficient mitigation credits.
June 13, 2022	DTF meeting minutes			3.1-3.4: Two properties were approved for transfer to the Wellfleet Conservation Trust. GEI is coming up with a presentation for the Selectboard on the mitigation plan that has been coordinated by our lobbyist and Congressional delegation who have worked on the plan with USACE.
August 1, 2022	DTF meeting minutes			4.1.2: 4.1.2. Congressman Keating's office is waiting for an update as well and were advised that tomorrow night's Selectboard meeting will include a discussion on the mitigation plan formulated with the assistance of our lobbyist and the congressional delegation to present to USACE as the only feasible plan in lieu of a \$14 million payment to obtain the permit. Tomorrow night's meeting will include an update to the Selectboard and will allow them to work on the possibility of a mitigation plan and a monitoring plan for those properties that have been under discussion for several months.
August 2, 2022	Selectboard meeting			BOS passed a motion to task DTF to seek mitigation options for properties other than HDYLTA Trust, by presenting previously transferred to conservation trust going back to 2010. (Refer to Town Media recoding at time 2:01:20 in the recording).
August 29, 2022	DTF meeting minutes			<p>At the August 2 Selectboard meeting, we were tasked to go back and seek mitigation properties, other than HDYLTA that would be acceptable to the USACE. A list of potential (alternate) properties was circulated by Ryan Curley and is being reviewed by GEI. An initial review by GEI suggests it will be a bit of a challenge to get to the prescribed mitigation acreage, although there is also some leeway and how the mitigation credits are calculated. In addition to the recently circulated list, we'll go back and revisit some of the potential mitigation opportunities that we had listed in our September letter to USACE.</p> <p>3.2 - 3.27: Extensive discussion on how to move forward.</p> <p>A working group was proposed that would develop a detailed list so we know which properties are likely to be acceptable to USACE, with on-going discussions with USACE so we don't get too far down the road only to find out certain properties are not acceptable or do not generate sufficient mitigation credits. Lengthy discussion ensued on the make-up of the working group.</p>

## Wellfleet Harbor Mitigation Plan Timeline

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September 19, 2022	DTF meeting minutes			<p>Rich Waldo provided an update: As follow up from our last meeting, he recently had a call with our lobbyist for gathering historical perspective. Rich and Rebecca Roughley then had a call with Congressman Keating's office, specifically with Andrew Nelson. Rich proposed setting up a meeting with USACE and the Congressional Delegation. They also discussed strategy to get the project moving forward. The discussion at the meeting should concentrate on the issue of maintenance dredging vs. mitigation and see if there is any movement there. As conveyed previously, mitigation is extremely difficult since much of Wellfleet land is already tied up in the National Seashore and other conservation lands. A fallback would be to discuss the Herring River Restoration Project which has 200 acres of restored shellfish flats on the south side of the bridge plus extensive estuary improvements. When previously reviewed by USACE, they considered it as an unfunded project at that time. Since that time additional funding has been obtained including some state funding.</p>
October 24, 2022	DTF meeting minutes			<p>Rich Waldo provided an update: Congressman Keating's office had reached out to Rich and Rebecca about two weeks ago, looking to schedule a meeting, including Senator Markey's office and Senator Warren's office. Rich and Rebecca provided their availability for such a meeting, but no meeting has yet been scheduled. Rich and Rebecca will follow-up on scheduling a meeting. Rich stated his opinion that the next meeting would likely be Town Administration, Congressman Keating's office, Senator Markey's office, and Senator Warren's office to discuss strategy and then try to get USACE to Wellfleet for an in-person meeting. Rich advised Andrew Nelson that it is our intent to have an in-person meeting, not a virtual meeting. Andrew alluded it might be easier to get everyone together for a virtual meeting; Rich reiterated our preference for an in-person meeting so USACE can see the harbor, see the area that needs to be dredged, etc. Rich concurred that "no mitigation" is our strategy. The back-up would be the Herring River Restoration Project. However, we'll await the discussion with Congressman Keating's office, Senator Markey's office and Senator Warren's office, to see if they have alternate ideas or strategies.</p>
November 28, 2022	DTF meeting minutes			<p>Will Sullivan provided an update that he had received earlier today from Rich Waldo: Rich spoke at length today with Congressman Keating's office, Mr. Andrew Nelson, who has been in communication with the Army Corps. of Engineers (ACOE). Mr. Nelson feels that scheduling an in-person meeting will be very difficult to organize. He feels he can get a virtual meeting set up soon. Mr. Nelson will request a more expeditious approach again to obtaining a permit.</p>

Wellfleet Harbor Mitigation Plan Timeline

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December 19, 2022	DTF meeting minutes			<p>Rich Waldo provided an update on recent permit activity/discussions: Congressman Keating’s office arranged a virtual meeting for last Thursday (December 15, 2022) but only provided a 2-hour notice. The meeting was declined due to schedule conflicts/short notice. A re-scheduled meeting is targeted for some time January 3 – 5.</p> <p>Additional discussion ensued about how best to prepare for the meeting and various discussion points including the extent of Town land already under conservation, some key points and funding details about the Herring River Project which should be attractive to USACE, observations on mitigation calculations for mudflats, the risks to the shellfish industry if we can’t dredge, etc. An additional important point is the EOHED \$2.5 million grant can be used for 2023 dredging, but a dredging contract must be awarded by June 30, 2023.</p>
January 9, 2023	DTF meeting minutes			<p>Curt provided an update on recent discussions with USACEThe initial meeting was on January 4, 2023. Discussion highlighted where the USACE had some significant property concerns in looking at different mitigation options for the Town. USACE had been reviewing the HDYLTA Trust and were pretty far along in the process. Based on concerns from the Selectboard to not pursue the HDYLTA property, focus shifted to alternate properties including the Herring River. The discussion included getting a sense from the USACE as to what the constraints would look like. Several items that came out were:</p> <ol style="list-style-type: none"> <li>1. USACE can’t consider something that is a federal project; the Herring River is viewed primarily as a federal project in that it is largely Federally funded.</li> <li>2. In order to get a mitigation plan approved, the town or local entities must demonstrate significant contribution.</li> </ol> <p>USACE is looking at it being a \$14 million mitigation, based on their evaluation of the 23 acres. Progress was made in helping USACE understand that Area 2 mooring field it should not be evaluated at \$14 million. Area 2 is not a mudflat nor is it a productive oyster ground – it is a disturbed area; moorings go in and get pulled out; the area is constantly disturbed. Because of the black custard, Area 2 does not support oyster cultivation and in fact the black custard poses a threat to the adjoining shellfish grants and the industry as a whole.</p>

Wellfleet Harbor Mitigation Plan Timeline

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				<p>USACE requested GEI and Will Sullivan to work on a document to show what we think the mitigation value should be. In addition, (non-cash) mitigation options should also be reviewed and submitted.</p> <p>A Herring River option represents such an option, and the parameters were discussed with USACE,</p> <p>A Herring River option must demonstrate significant local content. USACE recognizes that there are 60 acres that are currently prohibited shellfish areas (30 acres above the dike; 30 acres below the dike). USACE suggested focusing on some type of conservation or no take or some restrictions, essentially habitat improvement in the lower reach of the Herring River Project that is clearly within the town's jurisdiction and within the Town's control. Such a plan would be looked upon favorably by USACE and would accelerate the permit progress.</p> <p>A conservation plan within the lower reaches of the Herring River Project would also result in a reduction to the acreage required for mitigation, as compared to USACE wanting 127 acres of protected land under a HDYLTa mitigation scenario. Anything the Town would pledge would require a detailed written agreement in perpetuity for whatever option we want to present to USACE.</p>
				<p>In summary, USACE would look very favorably on a Herring River alternative that is ecosystem -restoration. It was noted that:</p> <ol style="list-style-type: none"> <li>1. USACE does not look favorably on something that was going to happen anyway because it's really not mitigation.</li> <li>2. A mitigation area cannot be subject in the future to any commercial exploitation such as piers, structures, moorings, i.e., commercial improvement would not be allowed in the future.</li> </ol> <p>Having some sort of shellfish harvest in an area that didn't exist previously, but which is now productive, or which is improved and serving an ecosystem benefit is appropriate. Shellfish harvest per se, was not explicitly rejected but they might want some type of "no take" or recreational/non-commercial harvesting in an area. Additional clarity from USACE on this issue is required. The path forward is to concentrate on a Herring River option and to begin discussion immediately with affected groups such as Shellfish Constable, Shellfish Advisory Board, and Selectboard to gather thoughts and suggestions. Criticality of timing: in order to maintain the \$2.5 million EOHED Dredging Grant for 2023, we must award a dredging contract by June 30, 2023.</p>

Wellfleet Harbor Mitigation Plan Timeline

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				<p>Tom Siggia advised that the next SAB meeting is scheduled for January 30, 2023, at which time Tom will gather thoughts and comments from the shellfish community. Initial concerns are a hesitation to give up any (future) bottom opportunities for the commercial shellfish community, particularly if after the Herring River Restoration Project is implemented, the area became highly productive.</p> <p>An overview of the current acreage and usage:          60 acres are currently prohibited so no one is able harvest at this time.          An additional 120 acres downstream are conditionally restricted due to coliform issues. Hopefully, the Herring River Restoration Project will result in improving the area and remove the restrictions, thus opening up a significant additional area for shell fishing.</p> <p>Mitigation could include placing some type of restrictions on a portion of the 60 acres, perhaps on 20 acres. Possible restrictions might be limiting it to recreational harvesting, maintaining a minimum (shellfish) population level, etc. The return to the Town in implementing such a mitigation plan includes being able to utilize the \$2.5 million grant; being able to dredge an area (Area 2) that poses a direct threat to grant holders and wild fishery in Chipman’s Cove; avoid sloughing off of Area 2 sediments into areas that have been recently dredged; avoid increased (inflationary) dredging costs for each year we delay the work.</p>
				<p>The intent of carving out 20 acres is to improve the water quality by using spat or cultch to implement ecosystem restoration which is what mitigation is all about. Tom suggested we place spat out and eventually create an area like Chipman’s Cove, restricted for part of the year but open for portions of the year to provide a place for the commercial people to harvest.</p> <p>Curt cautioned that USACE is opposed to any commercial exploitation. Harvesting was not rejected but recreational shell fishing may be acceptable whereas commercial shell fishing may not. Clarification is necessary.</p> <p>Nancy supported Tom’s suggestion of creating another Chipman’s Cove type area which is closed for portions of the year and open for other portions of the year. Nancy would like to learn more about the available options (and nuances) of “ecosystem conservation”, “commercial exploitation”, “no-take”, etc. She also would like to learn more about what restrictions, if any, USACE would require on HDYLTA. If the current activities on HDYLTA would be allowed to continue as is, then HDYLTA might be a viable solution. It would be good to know what options we have and let the shellfish community weigh in on them. Curt reiterated that placing cultch in a defined (mitigation) area would be viewed very favorably by USACE.</p>

Wellfleet Harbor Mitigation Plan Timeline

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				<p>It was agreed that further discussion with the shellfish community prior to the SAB on January 30, 2023, would be appropriate. Tom Siggia and Nancy Civetta will spearhead this activity ahead of January 30 so we can be prepared to address any issues and concerns at the SAB meeting on the 30th. Nancy proposed a working group which hopefully could identify any other options, including understanding the conditions necessary for HYDLTA to be a viable option.</p> <p>Nancy and Tom will initiate the process of communication with the shellfish community.</p>
January 23, 2023	DTF meeting minutes			<p>Update on permit activity, Area 2 – communication with the shellfish community on the possible mitigation plans to obtain the USACE Permit to dredge Area 2</p> <p>The Shellfish Advisory Board (SAB) will meet on January 30, 2023. Tom and Curt are going to prepare a document for that meeting. Curt noted that Nancy has been having discussions with members of the shellfish community to gather feedback. Tom has also had conversations with shell fishermen. The 1/30/23 SAB meeting will require a Q &amp; A discussion as people seek information to understand the various mitigation option(s) as well as the process for obtaining a permit. Curt stated that USACE wasn't sure that HDYLTA property had sufficient acreage to satisfy the mitigation requirements. In looking at Herring River options, USACE indicated great interest in it as a solution as well as finding out the thoughts of the shellfish community for such an option. Of yet, we don't have details on the parameters on what USACE will accept. However, it is clear that USACE has interest in Herring River option. As such, we would likely be looking at 20 acres in the Herring River watershed instead of 120 acres for HDYLTA land.</p>
				<p>Tom will provide a list of the questions he has received, to CurThe document for the SAB meeting will include details on where we are on the permit, the timing, the urgency associated with the \$2.5 million grant, questions posed by interested parties, possible scenarios involving the acreage above and below the dike, restrictions likely required by USACE, etc.</p>
January 30, 2023	SAB Meeting			DTF provided mitigation plan information/details to SAB.

Wellfleet Harbor Mitigation Plan Timeline

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February 6, 2023	DTF meeting minutes			<p>There was a recent meeting with USACE which mirrored many of the points that had been discussed at the recent Shellfish Advisory Board (SAB) meeting (January 30, 2023). The SAB had many comments and questions about what could be involved in some sort of enhancement and restoration in the Herring River. There were discussions on the 30 acres to the north (of the dike) and the 30 acres to the south, what type of restrictions might be imposed, etc. The items from the SAB meeting were discussed with USACE in an informational meeting which also discussed the mitigation ratios and acreage required for an acceptable mitigation plan. Emphasis was placed on a plan that would be viewed as “restoration” and the fewer number of acres associated with such a plan. USACE noted that work on a mitigation plan must start before dredging could start; the mitigation plan work does not have to be completed prior to dredging but must at least be started. USACE exhibited flexibility in the duration for monitoring a plan, possibly being 5 years. 6 The south acreage represents an area of 14 acres that could be started prior to dredging, whereas the north acreage work cannot start until after the Herring River Restoration Project (HRRP) is nearly completed. The key to qualifying the mitigation plan as a “restoration project” is the amount of ecosystem uplift – how much of an improvement is being made and to what degree it demonstrates permanence.</p>
				<p>The recent discussion with USACE included a presentation of the Town’s oyster restoration project from approximately 10 years ago, starting around 2010 and 2011, which restored 2 acres of area. The presentation to USACE included data covering the equipment used, our capabilities, what was done, water quality improvement, biodiversity changes, and monitoring activities that were undertaken. Additional observations from the USACE discussions: USACE interest was in 14 acres south of the dike, so the mitigation could start prior to the start of dredging. USACE discussion was very collaborative and cooperative; USACE emphasized that if we have any questions, we should call them – “don’t suffer in silence”. USACE is aware of the Town’s \$2.5 million State Grant and the urgency it imparts to resolving the permit issues in order to dredge this season. USACE is receptive to shellfish harvesting possibly with some restrictions, at least initially, such as recreational or relay or a “Chipman’s Cove look-alike”. Input from the SAB meeting included the observation that giving up 14 to 28 acres in return for dredging the mooring basin which will provide protection to 100 acres of existing shellfish area and grants is a “no brainer”. This relatively small number of acres in the Herring River that is currently prohibited is appealing.</p>



Wellfleet Harbor Mitigation Plan Timeline

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				<p>USACE understands it will take some time for a prohibited area to clean-up for harvesting and therefore are receptive to it being a Town relay area. Future discussions will include: Can we reduce the total number of credits required; Details of how we want to proceed. It is up to us to propose details in a 14-acre area, including how we plan to manage it, how we plan to characterize it, how we plan to restrict it on maps, what we envision or propose the ecosystem uplift to look like. Rich Waldo noted that next steps should include discussions with other stakeholders i.e., National Seashore and various funding entities such as DER (Department of Ecological Restoration), NRCS (Natural Resources Conservation Services), and NOAA (National Oceanic and Atmospheric Administration) to confirm we have support from all the various entities. Rich will set-up a meeting with the entities – preferably all at once.</p>
February 7, 2023	DTF Presentation at BOS Meeting.			<p>DTF provided mitigation plan information and details to SAB. BOS passed a motion supporting the dredging mitigation plan presented in concept with a request to USACE to consider commercial hand harvesting.</p>
February 13, 2023	SAB Meeting			<p>DTF provided mitigation plan information/details to SAB.</p>
February 27, 2023	DTF meeting minutes			<p>Rich Waldo advised: We recently reached out to stakeholders of the Herring River Restoration Project (HRRP) to explain our culching program for the restoration project. The discussion included various HRRP stakeholders including the technical review board and the funding agencies, including National Resources Conservation Services/US Department of Agriculture (NRCS/USDA), Division of Ecological Restoration (DER), MA Department of Environmental Protection (MA DEP, National Oceanic and Atmospheric Administration (NOAA), and the National Parks. The group provided very good comments. In general, they wanted additional information. One stated concern by DER was that 2 projects cannot have funding from the same source. The projects must be treated separately, i.e., the dredging mitigation/culching plan cannot be a tag-on to the HRRP. All parties agreed that the projects are in fact separate. National Park had concerns on where we plan to culch since they have previous models on erosion and sedimentation. GEI will get copies of the Park Service models. National Parks would like more information on the culching proposal including where, what elevations, etc. The group would also like information on the Adaptive Management Plan – how it gets incorporated into the Herring River project, how are the projects are different.</p>

Wellfleet Harbor Mitigation Plan Timeline

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				<p>USDA/NRCS were very supportive of the project. They want water quality and enhancement of shellfish beds. Next step is for GEI to start the actual details of the mitigation plan for USACE. We will work in parallel with the other stakeholders while we put together the mitigation plan for USACE. Nancy Civetta is reaching out to DMF, another stakeholder. Submitting information for a propagation permit is a normal and routine requirement. USACE has offered to participate in those meetings. Town already has a Chapter 91 Permit for culching in a substantial area of the harbor.</p>
<p>March 20, 2023</p>	<p>DTF meeting minutes</p>			<p>Zoom call at 8:00 pm tonight with Shellfish Advisory Board (SAB) to review the current known details of the mitigation plan and the discussions and progress we have made with US Army Corps of Engineers (USACE). Discussions have continued with USACE, and we have made progress on the document itself, the extensive mitigation plan template. The discussions with USACE have continued to focus on a solution in the Herring River, where we would define a 14-acre site below the dike where we would cultch to increase spat set and oyster population. Eventually, the 14 acres could “slide” (while maintaining its 14-acre size) into an area further north into the area that is currently prohibited – but only when water quality has improved sufficiently. Curt advised that Division of Marine Fisheries (DMF) has been quite clear they will not allow clutching (in prohibited areas) until water quality improves sufficiently to allow oysters to be harvested.</p> <p>USACE envisions a 5-year time frame to see that we are meeting the criteria of the mitigation plan, including eco-system uplift and biodiversity. The proposed area in the Herring River already has a Chapter 91 permit for cultching.</p> <p>Map details for the proposed locations, including alternates will be discussed in depth on tonight’s 8:00 pm SAB call. The maps have been posted to the SAB webpage.</p>
				<p>USACE has demonstrated flexibility on the location(s) of the 28 acres. Therefore, we should have alternatives, while remaining mindful of the progress to date, the ability of the locations to meet the metrics of eco-system performance, and the timeline necessary to maintain the \$2.5 million dredging grant.</p>
<p>March 20, 2023</p>	<p>SAB Meeting</p>			<p>DTF provided mitigation plan information/details to SAB. SAB stated a strong preference is to utilize 28 acres in Blackfish Creek instead of sites in the Herring River. SAB passed a motion endorsing a preference for starting the mitigation plan in the Herring River then move to Blackfish Creek when cultching is allowed.</p>

Wellfleet Harbor Mitigation Plan Timeline

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March 23, 2023	USACE call			Presented the option of starting the mitigation plan in the Herring River then moving to Blackfish Creek when cultching is allowed. USACE was receptive and very supportive of such a plan.
April 3, 2023	DTF meeting minutes			DTF will be providing an update to BOS tomorrow night; information can be found in the Selectboard packet, pages 83-90. DTF will be providing an update to Herring River Restoration Project Technical Team on Wednesday morning.
				<p>The mitigation plan envisions 28 acres to offset the 23.4 acres we will dredging in Area 2, South Mooring field. The initial site is 14 acres in the Herring River below the dike, below the existing line of demarcation between the prohibited area and the conditional area. This year we would cultch and put some seed stock in as well. We have an existing Chapter 91 permit to cultch in this area. We will go for an amended Chapter 91 permit to cultch in Blackfish Creek. Once we obtain that amended permit, we would move ahead with cultching in Blackfish Creek, presumably in 2024. That area would be the 28 acres. Once the Blackfish Creek site is established, the initial site in Herring River would disappear; it would be subsumed by the 28 acres in Blackfish Creek site. Establishment of the Blackfish Creek site is satisfied by performing the initial cultch in Blackfish Creek; therefore, it would be a quick transition from the site in the Herring River to the Blackfish Creek site. Cultch would consist of 8 – 10 strips of cultch and 80,000 to 100, 000 seed oysters as spawning stock. A monitoring plan will be required, probably for about 5 years after Blackfish Creek site is established. USACE is looking for various metrics on populations, density, biodiversity, and eco-system uplift. USACE is looking for us to designate an area, manage it appropriately with some uplift.</p> <p>Under no circumstances are we giving away the land. USACE does not take control or ownership of the land; it stays with us, and it stays under our management.</p>

Wellfleet Harbor Mitigation Plan Timeline

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				<p>A brief timeline on the permitting efforts going back to 2021:</p> <p>October 2021 - listed several possible mitigation options which were reviewed and discussed. Most of the options were filtered out based on the technical merits and conversations that the engineer, GEI. had with USACE.</p> <p>February 2022 – USACE had expressed interest in HDYLTA Trust as a viable option, so HDYLTA was being considered. Based on feedback from the shellfish community including concerns over access to grants, The Selectboard (BOS) stated HDYLTA should not be pursued. Rather, look at other options based on some past Town conservation initiatives.</p> <p>USACE criteria pertains to replacement of mudflat.</p> <p>Duck Creek and other options were proposed. Herring River was considered and was seen as a viable option in July/August (2022).</p> <p>2022 Fall – a Herring River option was looking possible.</p> <p>Town Administrator requested DTF to reach out to HRRP, Division of Marine Fisheries (DMF) and the SAB. Consensus within the shellfish community was that the Herring River was too valuable an asset.</p> <p>January (2023) serious discussions started with USACE over the two shellfish options. Blackfish Creek has very little shellfish population; it is contiguous acreage.</p>
				<p>Blackfish Creek designated area would be 28 acres.</p> <p>We'll get an amended Chapter 91 permit to cultch, presumably in 2024. At that point, all our efforts would be in Blackfish Creek.</p> <p>The area would be closed to harvest for several years while we restore the area and establish a minimum shellfish population.</p> <p>DMF requires the area to open for harvest after 3 years, for a duration that we determine, envisioned to be very short (a day or a weekend) while we continue to enhance the population density. We'll continue to manage the area to a minimum sustainable population. Going forward, we can open the area as appropriate, based on the population while still maintaining a minimum density.</p>

Wellfleet Harbor Mitigation Plan Timeline

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				<p>The plan is not “about cultch”; cultch just happens to be a vehicle that the Town of Wellfleet has used for about 100 years which has demonstrated that if we put substrate down, we get good settlement of oysters, so you get a good solid bed. It is very well scientifically supported by efforts throughout the country including in Chesapeake Bay, Virginia, SE Coast of the Carolinas, and the Houston area. The east coast uses cultch and has found that oysters preset on shell is an extremely good way of jump-starting or restoring or recreating a population of oysters. Oysters being a keystone species, the whole idea is to get that started and the oysters themselves, through their own propagation, will begin to set on each other and begin to knit together a community and host a variety of other biodiverse species, that improve water quality, fish protection, and a host of other eco-services. USACE has asked for an uplift of the eco-system, and this is one of the strongest tools in our toolkit.</p>
				<p>USACE is not exercising control. USACE has referenced outside resources and scientific publications to say here are some standards that have been worked out to define what an improved healthy eco-system looks like. If we meet these standards for a healthy eco-system, USACE would be thrilled; as should the Town. The Town is looking at the acreage that moorings have been in for a very long time, and seemingly arbitrarily the government has said because you haven’t dredged since 1957 mitigation is required. However, the mitigation request is not arbitrary. The standards are neutral and analytical, and definitely are not arbitrary.</p>
				<p>The mitigation plan (once accepted) will be in effect for the future, thus additional mitigation plans will not be required for dredging of Area 2 Mooring Field, out into the future.</p> <p>We, the Town, come up with the plan that will be monitored; we come up with the plan and we present it to the Army Corps. It’s not like the Army Corps says you have to do this, that, and the other. We are defining what success looks like; the inputs we’re going to do, the way we are going to manage it, the things we’re going to measure. We present it to the USACE, and they will accept our plan (or not). We submit the plan to USACE, and they can accept it (or not).</p> <p>Under federal law USACE needs 3rd party reference and standards. Therefore, we need to go to a documented authoritative documented sources when we propose various benchmarks.</p>
April 4, 2023	DTF Presentation at BOS Meeting.			

