

Highlights of MOU IV

A new Memorandum of Understanding (MOU IV) between the Town of Wellfleet and Cape Cod National Seashore (CCNS) has been executed. A copy is attached.

Highlights of this MOU IV are provided below.

Supersedes previous MOUs. The MOU was prepared and executed in response to the vote of Truro Board of Selectmen (attached) to be removed as a project partner. Accordingly, the MOU states that “All Project activities and decisions hereafter shall be undertaken by Wellfleet and CCNS, consistent with this MOU IV, and shall no longer include Truro, unless as an interested municipal stakeholder.” MOU IV does not alter or invalidate any actions taken while prior MOUs were in effect.

Acknowledges Progress. MOU IV recounts the status of the Herring River Restoration Project, including milestones that have resulted from intergovernmental collaboration to date. MOU IV also identifies the ways in which the Town of Wellfleet and CCNS will work together to implement the Project.

Identifies the ownership of Project infrastructure and how it will be operated. With the exception of the Mill Creek Dike and tide gates to be built on CCNS property, Project infrastructure (CNR and Pole Dike Road water control structures, road segments and culverts, etc.) is owned by the Town of Wellfleet. “Long-term operation and maintenance responsibilities should be the responsibility of the owner of each element of Project infrastructure,” unless this provision is revisited during implementation.

Describes how the Project will be governed. MOU IV names the HREC as “the executive group that approves all major Project decisions and activities.” The MOU specifies the membership of the HREC as consisting of three members representing the Town and two members representing CCNS. MOU IV also addresses how the HREC will make decisions. “The HREC shall by-and-large operate by a consensus decision-making process or from time-to-time by taking a vote.”

Acknowledges potential advisory input. The HREC may take advice and input from various sources, including, but not limited to, the Herring River Technical Team, “an informal, sounding board composed of intergovernmental technical staff to provide technical input for Project-related decisions as necessary or appropriate.” The MOU also identifies the Herring River Stakeholder Group as a source for advisory input on Project implementation issues.