

David Mason

East Sandwich

November 19, 2014

Mr. Paul Niedzwiecki

Executive Director

Cape Cod Commission

P.O. Box 226

3225 Main Street

Barnstable, MA 02630

Subject: Draft 208 Plan Cape Cod Area Wide Water Quality Management Plan Update

Comments from the Town of Sandwich

Dear Paul:

Thank you for the opportunity to provide comments on the Draft 208 Plan. There is a lot of excellent material included in the document. Our comments are focused on improving the functionality of the document from the municipal perspective.

1. The 208 Plan should include estimates of wastewater flow and nitrogen load by watershed and by municipality. The nitrogen loads should be presented as both unattenuated (input) and attenuated (delivered) loads.

2. An important issue for all municipalities and all watersheds is the allocation of nitrogen control responsibility to the municipalities in the watershed. Sandwich is on record as supporting allocation based on current attenuated load. The 208 Plan should provide guidance to municipalities on methods for allocation of responsibility for current loads as well as for built-out loads.

3. While it is common in Massachusetts for a municipality to have its own treatment facility, the Cape represents an opportunity to implement some regional facilities. The 208 Plan should comment on whether it makes economic sense for some combination of Sandwich, Mashpee, Falmouth and western Barnstable to be served by a single facility and, if so, where that facility might be located.

4. The 208 Plan should provide guidance to the municipalities on the use of on-site denitrification systems. Specifically, that guidance should address what areas of the Cape on-site denitrification system are (or are not) cost-effective and in what ways individual municipalities should update their Board of Health nitrogen loading policies (e.g., use of overlay zones, use of escrow accounts to facilitate transition to off-site wastewater management, etc.).

5. Given the sole source aquifer on Cape Cod, there should be a focus on the sustainable use of water resources. The 208 Plan should provide more information on Cape-specific effluent reuse opportunities and should provide guidance on how to facilitate effluent reuse and maintain "water balance".
6. The 208 Plan is focused primarily on nitrogen control for estuaries; however, there are significant threats to our pond water quality (nitrogen, phosphorus and suspended solids) and in drinking water quality (contaminants of emerging concern). The 208 Plan needs to provide more information and guidance on phosphorus and contaminants of emerging concern.
7. Since DEP will also need to review and approve a municipal water resource/wastewater/nutrient management plan, the 208 Plan should include input from DEP on which non-traditional techniques are considered "proven" and which are considered "demonstration". For those that are "demonstration", the 208 Plan should identify the most favorable techniques and location for Cape-specific testing.
8. In the 1980s, Sandwich seriously considered a wastewater treatment facility with a Canal discharge. The Canal remains a logical discharge location for Sandwich, given its significant flow and dilution. The 208 Plan should include commentary and guidance on the advantages, disadvantages and potential location of surface water discharges(s) to the Canal or the ocean.
9. During the 208 Plan workshop in February 2014, presentations were made regarding the "cost of no-action" (i.e., reduced tourism, lower property values, etc.). This information does not appear to be reported in the 208 Plan. How quickly is nitrogen management needed in order to avoid those costs (i.e., how urgent is the problem)? We receive this question routinely from our Board of Selectman and Water Quality Management Committee.
10. If inter-basin transport of effluent is needed to avoid in-watershed disposal, there are potential hydrologic impacts. This question comes up in virtually every CWMP. Can the Commission provide some guidance on how this issue can be addressed, and perhaps identify those circumstances where it deserves either cursory analysis or detailed review?
11. The 208 Plan should comment on whether any modifications should be made to existing Cape Cod Commission wastewater-related requirements (e.g., Regional Policy Plan, Fair Share policy, No Net Nitrogen regulation).
12. The 208 Plan should comment on whether public-private partnerships are applicable or appropriate to move environmental projects forward and, if so, on whether there are any Commission-specific requirements that can be streamlined in order to facilitate improvements to water quality.

If you have any questions, please contact me.

Sincerely,

David B. Mason, RS, CHO

Director of Public Health

Town of Sandwich