

Minutes

Section 208 Area-Wide Water Quality Advisory Board Meeting

December 17, 2013

1pm

Cape Cod Commission Conference Room

3225 Main Street, Barnstable, MA

Present: Wendy Northcross, Sheila Vanderhoef, Robin Wilkins, Robert Lawton, Virginia Valiela, Robert Churchill, Paul Niedzwiecki, Kristy Senatori, Patty Daley, Scott Horsley, Erin Perry, Andrew Gottlieb, Sheila Lyons, Caitlin Peale (CLF)

Paul Niedzwiecki gave the following update to the group:

Met with the Town of Wellfleet Comprehensive Wastewater Management Committee on scenario development on 11/21

Met with the RLI Work Group to discuss stakeholder meeting 3 content on 11/26

Met with each of the 11 watershed working groups to review watershed scenarios between 12/2 and 12/11

Met with the Regulatory, Legal, and Institutional Work Group to review the details of the Technologies Matrix on 12/10

Revised Technologies Fact Sheets based on stakeholder feedback

Updated the Cape Cod Water Protection Collaborative Governing Board on 12/11

Met with the Finance Subcommittee to continue to refine the financial model on 12/11

Met with the Engagement Game Lab to discuss Cape2O data on 12/12

Continued work with EPA and Industrial Economics on the 3VS Model for Cape Cod. Meetings were held on 12/5 and 12/16

Patty Daley, Deputy Director and Area Manager for the Upper Cape and Lower Cape groups, said that she felt the stakeholder groups were successful. Having a facilitator was key to having constructive conversations in each of the groups. We were able to take discussions around the MEP reports offline and hold separate discussions on these topics.

Some people came in skeptical about the process, but they now seem to be supporting it. The chronologies were a good way to get the conversation going and get people involved. It was a successful effort and people are interested in getting copies of them, so we'll be providing a copy to each town.

We are confident that the stakeholders have a good understanding of the complex science pieces at this point, including time of travel, the concept of natural attenuation, and information on each of the technologies. We were able to provide a lot of information and get a lot of feedback through this process.

Scott Horsley, Area Manager for the Mid Cape and Outer Cape groups, said he saw support for or interest in all of the technologies. He also saw an understanding that not one technology will solve the problem. Virtually everyone wants to continue to participate so there is a lot of enthusiasm.

Stakeholders brought up issues and questions with technologies, but were clearly supportive of the overall process.

Paul Niedzwiecki said that sometimes an organization gets told to do something and there is a void while that organization is waiting on resources to be able to begin the project. People tend to fill that void with ideas they have about what the process and project will be and that's what happened here. But in the end it seems that people feel this process has integrity and they are happy with the way it is progressing.

We will start to transition from a discussion of the problem, based on the jurisdiction of the problem which is the watersheds, to a discussion of solutions at the subregional level.

We will hold a stakeholder summit on February 6th which will include morning and lunch session geared toward a wider range of individuals, with the remainder of the day geared toward stakeholder sessions. The morning and lunch sessions will be on the cost of doing nothing and watershed governance.

We expect the subregional meetings to occur in February, March, and April and that they will likely have a standard agenda that includes discussions on scenario planning, regulatory, legal and institutional issues, and implementation.

Virginia Valiela asked if the subregional delineations are set.

Paul replied that they are and they are based on watersheds.

Robin Wilkins asked when we will address the shared watersheds.

Paul replied that this will be discussed at all of the subregional meetings.

Wendy Northcross asked if there is a life for these groups after the process.

Paul replied that when the draft is issued in June there will be an extensive public comment period of 120 days. We will share the public comment with stakeholders prior to the final plan being issued in January.

Paul also mentioned that we've been having conversations with DEP around watershed permits. They are really stretching beyond their comfort level in thinking about how to give communities credit for alternative strategies.

We are looking at convening two new ad hoc committees – one on monitoring and management and one on ponds and lakes. The monitoring committee would have two purposes – monitoring technologies to narrow information in the matrix and monitoring improvements in water quality.

Wendy Northcross asked if we were looking for agencies like Provincetown Center for Coastal Studies.

Paul replied yes and we are taking suggestions on other organizations and agencies.

Both committees will survive beyond the submission of the draft plan.

Sheila Lyons asked what we do about mercury.

Andrew Gottlieb replied that this is atmospheric and not groundwater and Paul said that having no regulations makes some things hard to regulate things such as other CECs.

Wendy Northcross said we should be sure to include existing ponds and lakes groups moving forward.

Bob Churchill asked how subregional groups will form.

Paul replied that he thinks towns will play a stronger role, but the same groups still need to be represented. We also need to better articulate what we are looking for them to do.

Robin Wilkins asked if the summit will have facilitators.

Paul replied yes, we want to continue using CBI.

Virginia Valiela asked if the idea was that we will have speakers move around to the different subregions at the summit and Paul replied yes.

Virginia asked when the stakeholder subregional selection will take place.

Erin Perry replied that we have a planning meeting with CBI in the next couple of weeks and we need their advice about how and when to do this. We will have more details for you need time we meet.

Virginia said that the feedback she has been receiving is that the way we have approached low hanging fruit has given people a level of comfort and allowed those who are very focused on alternatives to support the process.

Paul said that he thinks that is a big deal, we need to have buy in from the stakeholders in order for this process to be successful.

Wendy Northcross suggested calling it the Cape Cod Wastewater Summit.

Andrew Gottlieb said that the Collaborative met last week and that they will have an RFP out in January, ahead of the ad hoc committee being set up.

Paul said that the CCH2O website is up and available at www.cch2o.org.

Virginia asked who we are talking about when we mention EPA and DEP.

Paul said that EPA is region 1 and we work closely with Ken Moraff, Johanna Hunter, Lynne Hamjian, and Curt Spaulding. At DEP, Commissioner Kimmell, Beth Card, Gary Moran, Brian Dudley, and David Johnston have all been engaged. We have the best at both organizations work with us on the project.

Sheila Lyons said she has received feedback from people in the groups. At first some were skeptical, but she has only heard good things about the process since it started.

Wendy Northcross said the Chambers Wastewater Task Force hasn't met in two months because they are confident in the process that is going on. They are meeting this week and they hope someone from the Commission will attend.

Robin Wilkins asked if we felt that the local governance structure has bought in to the shared watershed concept and Paul replied no.

Robin asked what strategies might be employed to make that answer a yes.

Paul said that the only thing that makes towns do something on this will be a financial incentive. The only thing we can do is state the facts and not get pulled in to the politics. We can make a clear and efficient argument about what the facts are and what the least costly path forward is.

Andrew Gottlieb mentioned that the infrastructure bill discusses benefits to shared solutions in shared watersheds.

Paul said that this board will get more involved in the financial discussion over the next 6 months. His concern is that there are 216,000 year round residents and if we can't protect them because we make the wrong decision on this issue, this problem can change the fabric of the community forever. If this means shifting some of the cost on to seasonal residents then that's what it means.

Next meeting – January 21 at 1pm