

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

Minutes  
Lower Cape  
208 Workshop- Waste Management Agencies  
Monday, May 4, 2015 1:00 p.m.  
Chatham Community Center  
Chatham, MA

Paul Niedzwiecki, Executive Director of the Cape Cod Commission welcomed everyone to the meeting. He said the goal of the first meeting was to establish principles of nitrogen allocation. Today's meeting, the second WMA workshop, is about watershed scenarios and he will step through some basic scenarios at a subembayment level. Mr. Niedzwiecki said the WMA designations need to be submitted to MassDEP on June 1, 2015 and MassDEP will send the plan to US EPA on June 15, 2015. US EPA has until September 15, 2015 to approve the plan. He said there would be a third meeting in June or July to talk about organization and institutional structures and next steps.

Mr. Niedzwiecki reviewed the principles that were discussed at the first meeting. He said the Commission is looking for feedback. The principles are:

1. Assign responsibility of the subembayment level
2. Start with unattenuated load and apply attenuation when available
3. Calculate existing responsibility from existing attenuated nitrogen load
4. Calculate future responsibility from unattenuated potential nitrogen load
5. Data updates every five years with option and process for local modification

Mr. Niedzwiecki said interactive maps would be used to look at the scenarios. The first layer that was turned on were the completed CWMPs. He pointed out that a lot of work has already been done. The watershed layer was added next. The Pleasant Bay watershed includes four towns. He said the Commission will be working with the four towns in the watershed to work independently and in a coordinated effort. The Commission will also be looking at the four plans to see if there could be any changes that would potentially decrease the amount of necessary infrastructure while decreasing costs and still meeting water quality goals which would be beneficial to the towns.

The first scenario presented was Namequoit subembayment that includes Brewster and Orleans. Orleans has a plan which proposes to use aquaculture and floating constructed wetlands in Namequoit. These measures are expected to meet water quality standards for the town. The existing attenuated load for the subembayment is 895 kg of which Brewster is responsible for 29 kg and Orleans for 866 kg. The threshold for the subembayment is 632 kg. The Nitrogen removal target is 263 kg. Brewster is responsible for 3% (9kg) and Orleans for 97% (254 kg). Two scenarios were presented. Scenario A (included in presentation) showed the town working separately with a cost of \$85,230 for Brewster and \$136,698 for Orleans. Scenario B (included in presentation) showed the towns working together, the cost reduced to \$4,150 for Brewster and \$134,168 for Orleans.



Robert Duncanson, Town of Chatham, asked what data the percentage responsibility is based on. Mr. Niedzwiecki said responsibility is based on load.

Mr. Niedzwiecki said that the Commission wants to help facilitate discussions between towns to determine if there are efficiencies if towns work together toward a solution. He said he believes there are opportunities for savings and efficiencies across the Cape if towns work together.

Carole Ridley, Pleasant Bay Alliance, asked how the unknown operating costs would be factored into an agreement. Mr. Niedzwiecki said the major difference between alternative and traditional strategies, is that typically alternatives do not have a rate base. This raises questions such as who will pay for upkeep and unexpected costs over time. He said there needs to be a plan worked out by the parties and these plans will differ between watersheds. Mr. Niedzwiecki said that this will create an intermunicipal stewardship in the shared watersheds.

Sue Leven, Brewster Town Planner, said that the percentage responsibility may not be correct since Brewster has updated information. Mr. Niedzwiecki said that that is why principle five (Data updates every five years with option and process for local modification) was included. He said the specific process will be clarified in the near future. He said that the Commission is committed to using the most current data available.

Mr. Niedzwiecki said the Commission had developed three criteria for prioritizing water bodies. The first is level of degradation; the worst embayments need to be fixed first. The second is community support, without support plans will not be implemented. The third is shared watersheds. He said these are the three major criteria and that there are most likely more.

Ed Dewitt, Executive Director of Association to Preserve Cape Cod, said that some watersheds are severely degraded and will need a significant amount of work to fix, while other watersheds are close to becoming degraded and may need just a little remediation to prevent them from receiving degraded status. He asked how prioritization will deal with these two situations. Mr. Niedzwiecki said this is where they would like feedback. He said some smaller watersheds or ones that have a shorter time of travel would turn around faster and that would also be a factor. He said speed of restoration needs to be taken into account.

Sandy Bayne, resident of Eastham, said restoring watersheds that will improve quickly is a good way to garner community support.

Mr. Niedzwiecki suggested a town watershed prioritization list.

Mr. Duncanson said that it is important to keep in mind that all characteristics that could affect water quality restoration should be considered such as tidal flushing and sediments. Mr. Niedzwiecki suggested that those characteristics should be considered in local plans. Ms. Bayne added that uses should be included such as marinas.

Mr. Duncanson said other capital projects need to be taken into account; sometimes you work on areas not because they are the most degraded but because you can reduce expenses by collaborating with another project. Mr. Niedzwiecki said a greater consideration of capital planning is necessary.

Mr. Niedzwiecki said the Commission will work with the towns over the next year to develop plans that will take into consideration capital planning and community support.

Mr. Niedzwiecki asked attendees if they could think of ways to measure community support. He asked if a citizen's advisory committee report, board of selectmen support or votes at town meeting measure are effective ways to measure community support. Alan McClennen, Orleans Selectman, said that the outreach and planning process needs to be very open, with participation of elected officials. He said that the Commission needs to work with the towns to explain the concept of shared watersheds and shared responsibility. People need to understand that it is not a local problem but a subregional problem. Mr. Niedzwiecki said building community support is a goal over the next 12 months.

Mr. Duncanson said that financial incentives for shared watersheds would help prioritize them. He said all towns in the watershed need to work together at the same time so that the improvement is obvious. He said that towns may chose to spend their money in watersheds wholly within town boundaries if there is uncertainty that towns in the shared watershed may not act for many years. Mr. Niedzwiecki suggested that a schedule between towns might be needed when planning in shared watersheds that lists what the towns will do and when the towns will implement before a town feels comfortable with committing funds in a shared watershed. Mr. Niedzwiecki asked if there were any intermunicipal agreements could serve as a model. Mr. Duncanson said Chatham is in the process of working on an intermunicipal agreement with Harwich for the Muddy Creek watershed. There are financial benefits for Chatham and the town will probably move Muddy Creek higher up on the town's prioritization list.

Martin McDonald, Eastham Selectman, said he was concerned about community support. He said if the majority of town residents do not live on the water. He said the kinds of projects his community supported in the last few years received funding from the state or other sources. If the community doesn't have to pay for the entire project they will be more likely to offer their support.

Ms. Bayne mentioned that pond associations include not just those who abut the pond but active users of the ponds. She said that it would be beneficial to find out why the users of ponds are active in protecting the waters. Mr. Duncanson said people continue to reason that since they do not live next to the water it is not their problem. He said the greater public needs to be educated about what a watershed is and how they are part of the problem. The public also needs to know what their stake is in the problem and the solution. Ms. Bayne said the public needs to know that home values will decline if water quality continues to worsen.

Ms. Jane Crowley, Health Agent at the Town of Eastham, said that asking the public to be proactive is a difficult task since many times people are driven by a crisis.

Mr. Niedzwiecki said that level of degradation needs to be classified more- what do we mean? How do we define degradation? Level of community support could be measured by how many levels a plan has gone to local boards, selectmen and town meeting. There also needs to be much more of a communication strategy on a watershed-by-watershed basis. The shared watersheds are important because many of them are large and many have severe water quality problems. People need to understand that the approach is not a blank slate approach but organizing the planning that has already been done and qualify for additional planning resources and look for economies of scale in town independent plans.

Mr. Niedzwiecki thanked everyone for attending.

The meeting ended at 2:04.

