

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



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

Minutes
Mid Cape
208 Workshop- Waste Management Agencies
Thursday, May 7, 2015 1:00 p.m.
Innovation Room, OpenCape Building
Barnstable County Campus, Barnstable, 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

The first scenario presented was Kelleys Bay that includes Brewster, Dennis and Yarmouth. The existing attenuated load for the subembayment is 6,671 kg of which Brewster is responsible for 60 kg, Dennis for 5,482 kg and Yarmouth for 1,129. The threshold for the subembayment is 1,409 kg. The Nitrogen removal target is 5,262 kg. Brewster is responsible for 1% (47 kg), Dennis for 82% (4,324 kg) and Yarmouth for 17% (891 kg). Two scenarios were presented. Scenario A (included in presentation) showed the town working separately with a cost of \$835,681 for Brewster, \$9,080,988 for Dennis and \$15,574,055 for Yarmouth. Scenario B (included in presentation) showed the towns working together, the cost reduced to \$110,539 for Brewster, \$9,064,229 for Dennis and \$1,879,169 for Yarmouth.

Brian Braginton Smith, resident of Yarmouth, asked what if winter weather would affect the effectiveness of wetland and oyster projects. Scott Horsley, Cape Cod Commission consultant, said these technologies would be more targeted during the peak flow summer season.

Peter Johnson-Staub asked if the scenario numbers accounted for peak fluctuation. Mr. Niedzwiecki said all numbers account for seasonal fluctuations.



Bruce Murphy asked what % parts per million is used for I/A systems. Scott Michaud, Cape Cod Commission hydrologist, said 60-70% and it assumes enhanced monitoring and upkeep.

Mark Ells, Barnstable Assistant Town Manager, asked if the state was ready to permit alternative technologies. Mr. Niedzwiecki said that the state is ready for a more extensive menu of technologies. He said they are interested in pilot projects to determine the effectiveness of alternative technologies.

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. He said at the Lower Cape meeting there was a suggestion to add coordinating with other capital planning projects.

Mr. Niedzwiecki said the watersheds with higher levels of community support will move up higher on the prioritization list. He said the Commission needs help in determining how to measure community support. He asked if support could be measured by 2/3 Town Meeting support of Town Council vote? He said shared watersheds will be a priority.

Mr. Niedzwiecki said it's unlikely the state will issue watershed permit regulations for a year or so but communities can apply for a permit.

Royden Richardson, Cape Cod Commission member, asked if the court has a say in watershed prioritization. Mr. Niedzwiecki said they most likely would not, but it could be possible.

James Crocker, Barnstable Town Councilor, said people need to be educated so that they will support watershed restoration. He suggested that instead of using the word degraded, which has a negative connotation, a more positive word could be used such as re-nourishment. Mr. Niedzwiecki said that the Commission also uses the term restoration status.

Mr. Braginton Smith asked if there was a list of criteria for degradation. Mr. Michaud said that the MEP includes level of impact for all watersheds.

Mr. Braginton Smith said Yarmouth had support for their CWMP until it reached town meeting. People still supported the concept but they did not want to pay. Mr. Niedzwiecki said that targeted watershed planning should address this issue to a degree. The price tag will be smaller and more manageable for towns.

Mr. Ells suggested that watershed plans that can move forward quickly should be prioritized.

Bill Hinchey, Yarmouth Town Administrator, said that there needs to be a plan for managing disagreement between towns. Mr. Niedzwiecki said managing disagreement is addressed in the plan.

Mr. Braginton Smith said that watersheds that are solely in one town might be easier to address and perhaps be higher on the prioritization list. Mr. Niedzwiecki said that shovel ready projects will be prioritized. He said restoration will not only be allocated to shared watersheds. He said that one of the purposes of prioritization it to distribute funding across the region.

Mr. Niedzwiecki thanked everyone for coming.

The Meeting ended at 2:00.