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Minutes  
Upper Cape  
208 Workshop- Waste Management Agencies  
Thursday, May 7, 2015 8:30 p.m.  
Mashpee Town Hall  
Mashpee, 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 scenario presented was Child River that includes Falmouth, Mashpee and Sandwich. The existing attenuated load for the subembayment is 10,602 kg of nitrogen of which Falmouth is responsible for 7,480 kg, Mashpee for 2,548 kg and Sandwich for 1,129 kg. The threshold for the subembayment is 1,409 kg. The Nitrogen removal target is 574 kg. Falmouth is responsible for 71% (5,370 kg), Mashpee for 24% (1,829 kg) and Sandwich for 5% (412 kg). Two scenarios were presented. Scenario A (included in presentation) showed the town working separately with a cost of \$21,715,524 for Falmouth, \$31,907,820 for Mashpee and \$7,217,245 for Sandwich. Scenario B (included in presentation) showed the towns

working together, the cost reduced to \$15,804,999 for Falmouth, \$5,342,535 for Mashpee and \$1,113,028 for Sandwich. Both scenarios were shown on a web based map viewer.

Jerry Potamis, Town of Falmouth Wastewater Superintendent, said that the effectiveness of certain alternative technologies is not well known and a risk factor should be included. He said permeable reactive barrier (PRB) monitoring costs could be high. Mr. Niedzwiecki said that there are technologies that need to be piloted and some of the monitoring costs could be carried at a regional level.

Frank Pannorfi, Sandwich Selectmen, said Scenario A has a percentage of the total cost at 11%-12% scenario B is closer to the 5%. He said that it doesn't make sense for Sandwich financially. Mr. Niedzwiecki said that the scenarios selected to discuss different options. He said in a situation like Scenario B the town may negotiate for other services from a neighboring town.

Mr. Pannorfi said that relying on town meeting for appropriations will make it difficult to implement plans. Mr. Niedzwiecki said a new capital financing plan, which is addressed in the 208 Plan, will work to solve some financing issues.

Virginia Valeila, a resident of Falmouth, asked if Joint Base Cape Cod is included in the scenario numbers. Mr. Niedzwiecki said that Joint Base Cape Cod is not calculated in the numbers presented.

An attendee asked what type of support the Commission will offer towns. Mr. Niedzwiecki said the Commission has a watershed team approach to assist towns with technical assistance and direct support. The watershed team will provide a structural review.

Linell Grundman, a resident of Sandwich, asked if the Commission will offer education strategies and outreach support to the towns. Mr. Niedzwiecki said the Commission will offer community engagement support to communities.

Linda Zuern, Bourne Selectman, asked how the watersheds would be prioritized. Mr. Niedzwiecki said the Commission has developed three criteria for prioritizing water bodies and would like feedback on how these criteria should be applied. 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.

Mr. Potamis asked if communities with watershed permits would be prioritized. Mr. Niedzwiecki said shared watersheds that have watershed permits will be a priority.

Ms. Zuern asked if one town requests the permit, or if more than one town is on the permit. Mr. Niedzwiecki said multiple towns could be on the permit.

An attendee asked if MassDEP discharge sites would be included in a watershed permit. Mr. Niedzwiecki said yes, the permit is a comprehensive permit that streamlines the individual permits a town needs.

Mr. Pannorfi asked if the Clean Water Act has a timeline for achieving after quality standards. Andrew Gottlieb, Executive Director Cape Cod Water Protection Collaborative, said once you have a permit with a defined parameters and timeframe to meet it. If at the end of the permit water quality standards are not met, and you have done everything outlined in the permit, the permit can be extended.

Tom Guerino, Bourne Town Administrator, said the town of Bourne will look to the Commission for assistance in planning with towns that are not part of the 208 process. Mr. Niedzwiecki said that there are a couple of ways to deal with non-208 communities. He said non-208 communities working with a Cape town may have access to 208 funds.

Ms. Valiela asked when the state would finalize watershed permit requirements. Mr. Niedzwiecki said he doesn't expect that to happen until next year at the earliest. He said if towns come forward and request a permit, the state has authority to issue a permit prior to issuing regulations.

Ms. Zuern asked if there are funds available to prevent a watershed from becoming degraded. Mr. Niedzwiecki said it would depend on a particular watershed and the problem. Mr. Gottlieb said you do not have to be out of compliance to request SRF funds, but you are competing with other projects that are solving a documented water quality problem.

Mr. Potamis asked if pounds per acre or pounds per person should be considered. Tom Cambareri, Watershed Management Director, said the plan includes a draft prioritization looking at a variety of metrics such as density and morphology. Mr. Niedzwiecki said the Commission is always open to suggestions.

Mr. Potamis asked if there will be copies of the plan distributed across the Cape. Mr. Niedzwiecki said the plan is online and copies will be made available to libraries, town hall etc.

Earle Barnhart, resident of Falmouth, asked if WatershedMVP is available online. Mr. Niedzwiecki said it is available online.

David Dow, Sierra Club, asked if there would be an additional comment period. Mr. Niedzwiecki said the formal public comment periods have passed but the Commission will always accept public comment.

Mr. Niedzwiecki thanked everyone for attending.

The meeting ended at 9:35.