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CAPE COD WATER PROTECTION COLLABORATIVE
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BARNSTABLE COUNTY



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Andrew Gottlieb and Paul Niedzwiecki Provide County Commissioners with an Update on their Assessment of Wastewater Management Alternatives for Barnstable County

BARNSTABLE COUNTY, MA -- Andrew Gottlieb, Executive Director of the Cape Cod Water Protection Collaborative, and Paul Niedzwiecki, Executive Director of the Cape Cod Commission, today made another in a series of regular updates to the Barnstable County Commissioners. They reported on progress assessing the potential costs and benefits of a new Cape-wide role for the County and the Cape Cod Commission in wastewater management. The Special Commission on County Governance had recommended that the Commissioners support the creation of a regional wastewater management authority to oversee wastewater management efforts of the Cape. Rather than adopt that recommendation, the County Commissioners directed Gottlieb and Niedzwiecki to undertake a different and distinct task in the alternative.

Gottlieb and Niedzwiecki were directed to assess if a less reactive County and Commission role in wastewater management will result in a more timely clean up and protection of Cape waterways, minimize the infrastructure built to improve water quality and both minimize the overall cost of wastewater management and lower the impact on individual rate payers. Gottlieb and Niedzwiecki were directed to think broadly about this charge. Niedzwiecki said: "You (the County Commissioners) made it clear to us that you did not

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wish to develop a plan to create an authority, a conclusion that the Special Commission reached but that in your collective judgment presumed a solution without adequate consideration of the problem and therefore did not adopt. We have considered many options and we will report our final findings to you by the end of the calendar year. The creation of any new taxing authority is not recommended.”

Gottlieb reported to the Commissioners that “Barnstable County has a ten-year track record of supporting local efforts to address wastewater. The County has provided support in the form of technical expertise and funding. In response to the growing challenges faced by our communities, the County has taken on a more proactive role. Specifically, we have reached out to the residents in each of the 15 towns, facilitating more than 50 discussions across Cape Cod. The County is developing a clear wastewater management plan and is developing guidance on the need to address management issues on a hyper-local basis around each watershed.”

Gottlieb and Niedzwiecki presented an analysis that has thus far revealed that towns are challenged by many fundamental factors that are independent of local will or commitment to addressing the issue. They outlined the following challenges and impediments that stand in the way of community action:

1. Towns lack the resources to finance effective solutions and, individually, cannot raise sufficient funds from state and federal sources to make a meaningful contribution to the affordability of any substantial project.
2. Inter-municipal Cooperation: Although two-thirds of Cape watersheds are shared between two or more towns, towns have great difficulty developing inter-municipal agreements without assistance. The technical issues around cost sharing and apportionment, operational standards and burden sharing create barriers to cooperation that are often insurmountable. Towns acting alone tend to propose more infrastructure than would be required if they acted as a part of a coordinated watershed-based approach. Overbuilding wastewater infrastructure will not only increase costs for Cape residents, it could also induce unplanned and uncoordinated growth and development.
3. Resource Constraints: By and large, towns do not have staff with a deep and specific knowledge of wastewater management planning and infrastructure development. As a result, towns are forced to hire costly wastewater engineering firms to address the highly technical issues that arise in identifying options and implementing wastewater management solutions. Depending on the engineering firm chosen, certain traditional approaches may be favored to the detriment of consideration of alternatives that may benefit resident taxpayers. The plans that result from this process do not put the town in the best possible position to minimize the cost and scope of a management strategy. In addition, firms are hired to represent a single

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municipality and therefore they typically do not advance solutions that address an entire shared watershed.

4. **Regulatory Restraints:** The current regulatory environment drives towns to plan on a town-by-town basis. The application of the federally driven regulatory requirements and associated enforceability requirements pushes towns toward costly overbuilt solutions.

Based on their assessment, Gottlieb and Niedzwiecki told the Commissioners that they have settled on a general direction that their final recommendations and the Cape Cod Commission's plan will follow:

1. First and foremost, and in keeping with what they reported to the Commissioners in July, they see no basis to recommend an MWRA-style single treatment plant approach for the Cape. Such a system, although significantly less expensive than a town-by-town approach, would overbuild infrastructure beyond any reasonable estimate of what might be needed, it would cause widespread social and economic harm to the region, and it would be a land use disaster. No proposal to support such a system has ever been consistent with the County approach to wastewater. Such a system has never had the support of the Commissioners or the staff at any level. Under no circumstance will Gottlieb and Niedzwiecki recommend that the Commissioners support such a system.
2. They see the logical planning and management scale for the most economical and logical solutions to be at the watershed level. The circumstances unique to each watershed must be taken into account in devising the most economical, environmentally effective and appropriately scaled solutions to the problems in each embayment. While an overall County policy approach is appropriate, the right level of specific planning and implementation should be done not at the regional or even the town level, but at the watershed level. While many have anticipated that Gottlieb and Niedzwiecki would recommend management at the regional level, they concluded that going local beyond the town level is actually in the Cape's collective best interests. Within each watershed they envision multi-stakeholder based planning efforts that the County could help facilitate to be the best vehicle to tailor adaptive management-based solutions to the needs of each embayment.
3. The plan will provide technical assistance and guidance to enhance the local planning process. County-based resources can support local planning efforts at the watershed level by breaking the cycle of dependency on outside parties and by bringing common understanding of the needs of watersheds to the discussion. The expansion of existing practice of County support to local efforts will relieve town budgets of financial burdens and enhance their ability to participate in the

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development of appropriate-scale solutions. A coordinated, county-wide plan based on a watershed-based stakeholder public process can be presented to federal and state agencies to support funding for the entire region.

4. The plan will recommend a Cape-wide strategy facilitating inter-municipal cooperation and agreements where they produce cost-effective implementation of solutions.
5. The plan will advocate for the creation of Cape-wide regulatory reform and innovation enabling the Cape to devise and implement solutions over a time period that meets our needs. Additional support of non-governmental organizations in monitoring the effectiveness of implemented strategies is necessary to ensure that resources are being used efficiently. In addition, the County should continue its role in monitoring and evaluating innovative technologies and use this information to dialogue with DEP and EPA to gain regulatory acceptance.
6. The County needs to advocate on behalf of a Cape-wide contribution from the state and federal governments of half the overall capital cost of all management solutions. The taxpayers of the region are simply unable to bear more than half the cost of the combination of solutions to this problem. The region is a net contributor of funding to the Commonwealth and is the home of waters and natural resources of national significance. The region has a case to make for state and federal resources, but this can only be effectively pursued on a Cape-wide level. Towns lack the ability to advocate individually for the scale of resources required to provide the required relief to our taxpayers.

Gottlieb stated: “We believe that the framework these initial recommendations provide form the basis of an appropriate role for the County and the Cape Cod Commission that builds upon, but does not supplant, the important and ongoing local initiatives. We will continue to refine these ideas and seek ongoing public input prior to presenting a final recommendation by the end of the year. These recommendations are consistent with the policy direction the Board has espoused for close to 10 years and reflect the strategic value inherent in more proactive Cape-wide role for the County and the Cape Cod Commission.”

Niedzwiecki closed by telling the Commissioners that “ Your commitment to a thoughtful examination of innovative and efficient strategies for solving our greatest combined environmental and economic challenge demonstrates not only reason and common sense but courage. The time between your charge to us and our research, outreach and response has unfortunately created a vacuum filled with the unsubstantiated fears of a vocal minority that knowingly and consistently characterize the County’s position on wastewater not only with statements that are incorrect but in fact are exactly opposite the long-standing positions taken by this government and its components. Your leadership and

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commitment to providing taxpayers Cape-wide with information regarding the lowest cost solution to our biggest problem stands in stark contrast to the anonymous, personal and overtly political attacks that are at best uninformed and at worst knowingly deceitful.”

Gottlieb added: “Feedback from our outreach and support strongly support your actions to date. Our hope is that you find this report and our ongoing efforts in keeping with the high standards you have set for Cape Cod as stewards of this place, its economy and its people.”

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