

**MINUTES OF THE  
CAPE COD WATER PROTECTION COLLABORATIVE  
Governing Board Committee  
September 13, 2017**

A meeting of the Cape Cod Water Protection Collaborative was held on September 13, 2017 at 9:00 a.m. in the Cape Cod Commission's main conference room, 3225 Main Street, Barnstable, MA.

**Members:**

Barnstable	Paul Hebert	Absent
Bourne	Stephen Mealy	Absent
Brewster	Ryan Bennett	Present
Chatham	Florence Seldin	Present
Dennis	Wayne Bergeron	Present (departed at 10:15)
Eastham	Jane Crowley	Present
Falmouth	Ray Jack	Absent
Harwich	Larry Ballantine	Present
Mashpee	Tom Fudala	Present
Orleans	Sims McGrath	Present
Provincetown	Vacant	Vacant
Sandwich	Dave Sampson	Absent
Truro	Patricia Pajaron	Absent
Wellfleet	Curt Felix	Present
Yarmouth	Jeffrey Colby	Present
County Appointee	Zenas Crocker	Present
County Appointee	Ron Beaty, Alternate	Absent
Ex-officio member	George Heufelder	Absent
Ex-officio member	Paul Niedzwiecki	Present

**Staff Present:**

Monica Mejia	Cape Cod Commission
Stephanie Houghton	Cape Cod Commission
Scott Michaud	Cape Cod Commission
Erin Perry	Cape Cod Commission
Tom Cambareri	Cape Cod Commission
Kristy Senatori	Cape Cod Commission
Andrew Gottlieb	Association to Preserve Cape Cod
Jo Ann Muramoto	Association to Preserve Cape Cod
Don Keeran	Association to Preserve Cape Cod
Carole Ridley	Pleasant Bay Alliance
Bob Duncanson	Town of Chatham

**1. Minutes of June 14, 2017**

Florence Seldin moved to approve the minutes of June 14, 2017. Jeffrey Colby seconded the motion. With ten members voting a vote called on the motion passed with 7 votes in favor and three abstention (Ryan Bennett, Wayne Bergeron and Larry Ballantine).

## **2. Presentation by Carole Ridley and Robert Duncanson on ongoing water quality monitoring in Pleasant Bay**

Bob Duncanson gave an overview of the Pleasant Bay watershed and a brief history of the Pleasant Bay Alliance. The Alliance is a cooperative effort between Chatham, Orleans, Harwich and Brewster, friends groups, and a total of 125-150 yearly volunteers. The association provides water data to determine the level of water quality in the watershed and if it has become worse, remained the same, or improved. The data is provided to policy makers and the public to assist them in making informed decisions. The data has been used to assist the Mass Estuaries Project and to determine if steps the towns are taking are affective and project locations are in the correct location. The Alliance also looks at how changes in the natural environment affect water quality. A significant amount of work has been done on a quality assurance project plan, in conjunction with MassDEP, UMASS Dartmouth and US EPA. The plan was developed to ensure a high level of confidence in the data collected. Water samples are collected, at 21 sampling points, and sent to UMASS Dartmouth labs for analysis. Samples are taken between July-September, concentration on the most critical time of the year. Mr. Duncanson showed some examples of the data the Alliance has collected over the years. He reviewed data from Muddy Creek showing how the culvert opening has improved the salinity and a shift in vegetation. The data showed the bridge replacement led to improved water quality.

Wayne Bergeron asked how many estuaries were included in the Pleasant Bay Alliance. Mr. Duncanson said it is one estuary with a dozen or so sub-estuaries. Mr. Bergeron said that Dennis faced some unplanned for results from widening the Bridge Street culvert.

The Alliance brought in a company that specializes in statistical analysis to determine if there are trends in the data collected. There were some trends detected. In addition to improved water quality, the Alliance is working towards environment recovery in areas such as eel grass and benthic fauna.

There is a cooperative effort with Provincetown Center for Coastal Studies on a long-term tide gauge monitoring program. The Center recently completed a report on the impact of sea level rise on the Bay. The Alliance is working with UMASS Dartmouth to update the MEP model. There is a significant amount of work being done on compliance monitoring.

Wayne Bergeron mentioned that the widening of the Bridge Street Culvert in Dennis led to major changes within a year. Some of these changes were not anticipated and this project is being used as an example to not do similar projects. He said projects should plan for all changes, for a smoother transition in a return to the natural ecosystem. Carole Ridley said the Herring River project has proposed incremental re-introduction of tidal flow and careful monitoring.

Zenas Crocker said the Center for Coastal Studies gave a presentation to the Barnstable Clean Water Coalition on their monitoring protocol. He asked if the Alliance has compared their data to the Center's data and if the stations were approximately in the same location. Mr. Duncanson said the Alliance has not seen their data and does not know where their stations are located. Mr. Crocker asked if the Alliance is testing for the different sources of nitrogen, such as animal, human or fertilizer? Mr. Duncanson said no, that level of detail is not needed, the overwhelming majority of nitrogen in Cape Cod's coastal waters is septic system. Zenas Crocker said the Coalition is looking at the more in depth level of testing.

Florence Seldin asked how often samples are taken in the Bay. Mr. Duncanson said five times between July-September.

Jane Crowley said the Alliance has expanded to cover Nauset Estuary in Eastham. Eastham appreciates the work done by the Alliance because the data collected will help the town make the right choices. She said the Alliance is an example of a successful regional program.

**3. Presentation of Revised Scope of Work for Brewster On-Site Phosphorus Treatment System Pilot Grant by Ryan Bennett, Brewster Town Planner. Discussion, questions and comments.**

Ms. Bennet said the town underestimated what the proper incentive would be for residents to participate in the program. Without additional support for the investment and the installation cost of the system, there were not enough willing participants. The grant has been restructured to allow for two systems, instead of the original three, to be installed, which will allow the town to contribute more to the installation. The grant expires the end of this month and the town is looking for an extension. Larry Ballantine moved for the grant to be extended to the Town of Brewster. The motion was seconded by Mr. Bergeron. The vote was passed unanimously.

**6. Report from Paul Niedzwiecki, Executive Director of the Cape Cod Commission**

**a. Discussion on Draft 208 Plan Implementation Report**

Mr. Niedzwiecki said the Implementation Report is out for comment. The report should be finalized within the next two months. The report will contain guidance to towns regarding the implementation of the 208 Plan and their local plans.

**b. Monitoring: Discussion of draft outline for monitoring whitepaper**

The Commission is working on a draft monitoring whitepaper. The paper will provide a consensus opinion on the monitoring program. It will assist in securing funding and creating a sustainable program. The goal of the program will be to unify the monitoring efforts that are currently taking place and to allow for the sharing of data. The white paper addresses estuary monitoring and technology performance monitoring. The outline of the white paper will be shared will Collaborative members and staff would appreciate comments, sent via email, in order to have a more robust discussion at the next meeting. Mr. McGrath reminded members that comments should be sent directly to the Commission, not to all members, to avoid an open meeting law violation. Mr. Niedzwiecki said that even if the paper is not done by budget season, a letter would be sent to the County explaining why County participation and support is important.

**c. Financing: Discussion on Chapter 6 of the 208 Plan Update**

The Commission will break down the finance section, chapter 6, of the 208 Plan into several areas and flush them out more. Stephanie Houghton presented a spread sheet organizing local, state and federal revenues and how those monies can be used. Mr. Niedzwiecki said the spread sheet would be shared and comments from members would be appreciated. Mr. Ballantine said towns need assistance in learning about grant opportunities and guidance in writing grants. Mr. Niedzwiecki said this would be part of the financing discussion. Mr. Niedzwiecki said towns should have shovel ready projects and work with other towns to secure grant funding. Mr. Crocker asked if there was an update on the Airbnb bill. Andrew Gottlieb said there is legislation pending for an extension of the hotel tax to Airbnb type accommodations. It is likely that will happen in some form during this legislative session. He said there is an ongoing discussion on setting aside some of the new revenue to support municipal wastewater management implementation, specifically on the Cape. Mr. Niedzwiecki said it is important for a regional entity to offer comments on this bill. Mr. Crocker asked if it would be helpful is the Collaborative drafted a letter in support of the bill. Ms. Seldin said the letter could address that additional revenue is important to the region. The Commission will draft a letter of support. Mr. Colby said Yarmouth is considering the real estate transfer tax option and would like that to be part of the discussion.

**7. Reports from Governing Board Member Towns and Organizations on Water Resources Issues**

• **Town of Brewster** – Ryan Bennett: Brewster is installing phosphorus capturing systems around ponds to monitor the efficacy of the system. The town is working on a project with George Heufelder, funded by a 319 grant, to install 9 additional systems. The town is working with the Pleasant Bay Alliance in a watershed permitting discussion.

- **Town of Yarmouth** – Jeff Colby: Yarmouth continues its discussion with Dennis and Harwich on a potential wastewater partnership. The town is developing scenarios on how to move wastewater to a Dennis facility. There is a staff-level discussion on a potential partnership with Barnstable. A water quality outreach plan is being developed. An anaerobic digester system is being considered. The town received a CZM grant to continue its stormwater nutrient removal program.
- **Town of Wellfleet** – Curt Felix: Wellfleet continues to discuss integrating the Board of Water Commissioners and wastewater committee. The town would like to work with the Commission to create a consensus plan.
- **Town of Mashpee** – Thomas Fudala: Mashpee has a final draft of an IMA with Barnstable and Sandwich. The town’s consultant GHD has completed a study, funded by town meeting, of collection systems. The final report was delivered last week.
- **Town of Chatham** – Florence Seldin: Chatham has had a delay in the implementation of sewer lines on private roads. Mr. Duncanson went before the Board of Selectmen to ask for a taking of an easement. The town agreed to pay for sewer lines on private roads.
- **Town of Eastham** – Jane Crowley: Eastham has almost completed phase one of the water supply system. Phase two is a broader implementation of the municipal plan and is voluntary. There is a section of town that has been accepted by the Commission for a potential DCPC due to the increased interest in development due to the new water system. The town has done a lot of background work on understanding the hydrogeology of the town. Many treatment options are being looked at in the development of a targeted watershed approach to Salt Pond. The next objective is to form a partnership with the Town of Orleans.
- **Town of Harwich** – Larry Ballantine: Harwich is looking forward to town meeting where they will ask for funds totaling \$22 million for wastewater construction costs. The CWMP committee has been reformatted to focus more on construction and disseminating public information. There has been discussion on the roles of the Board of Selectmen and the Wastewater Commission during the construction phase.
- **Town of Orleans** – Sims McGrath: Orleans has found opportunities to improve stormwater drainage around the site for the new DPW building, adjacent to the transfer station and the capped landfill, MassDEP has been helpful with permitting.
- **County** – Zenas Crocker: The Coalition is spearheading a stormwater project, funded by an EPA grant, in the Three Bays watershed. There are two unique studies being done in Three Bays. One is looking at how a declining estuary being used, the second is looking at the 208 tools and the best way to use them in the watershed. The Coalition is working with the Indian Pond Association, to test phosphorous reducing systems around the ponds. The Town of Barnstable accepted the Water Resources Advisory Committee plan.

## 8. Next Meeting

Mr. McGrath said the meeting of October 11 needs to be rescheduled. He suggested the meeting rescheduled to October 4. Mr. Bergeron made a motion to move the meeting to October 4. The motion was seconded by Ms. Seldin. The motion passed with 10 votes.

A list of agenda items for 2018 was reviewed.

## 9. Adjourn

Florence made a motion to adjourn. This motion was seconded by Curt Felix. The motion was approved unanimously. The meeting adjourned at 10:26

**MATERIALS USED/PRESENTED AT THE September 13, 2017 CCWPC MEETING:**

**Handout materials:**

- September 13, 2017 CCWPC Meeting Agenda
- Draft 208 Plan Implementation Report
- List of potential CCWPC agenda items