



Status of 208 Plan Update Recommendations

AUGUST 2017

	RECOMMENDATION	YEAR RECOMMENDED	STATUS
 <p>COST</p>	C5.4: Local targeted watershed management plans consistent with the Section 208 Plan Update should qualify for existing and potential revenue sources.	2015	Complete
	C6.2: The Commonwealth of Massachusetts should make funds designated for monitoring programs and pilot projects available to Cape Cod for efforts that are consistent with the Section 208 Plan Update.	2015	Complete
	C6.1: MassDEP should exercise its discretion in providing principal forgiveness up to 25%.	Annual	In Progress
	C6.4: The Cape Cod Commission shall develop a proposal for a Septic Trust Fund and pursue authorizing legislation.	2015	In Progress
	C6.5: The Cape Cod Commission shall develop a proposal for a Cape Cod Capital Trust Fund for the financing of infrastructure design and construction.	2015	In Progress
	C7.4: US EPA should continue to expand the efforts of the SNEP program and encourage the continued expansion of the program moving forward.	2015	In Progress
	C2017.10: State agencies should prioritize proposals for state funding from communities with a nutrient management plan consistent with the 208 Plan Update, particularly if the proposed project is expected to improve embayment water quality.	Annual	New


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 COST	C2017.12: To the extent that new revenue sources become available towns should earmark funds for wastewater and water quality improvement efforts.	<u>2017</u>	New
	C2017.13: MassDEP and the Massachusetts Clean Water Trust should exercise their discretion to provide principle forgiveness up to 25% to communities with a watershed permit.	<u>2017</u>	New
	C2017.14: The Cape Cod Commission should continue conversations with the Massachusetts Clean Water Trust about options for a Cape Cod Capital Trust Fund.	<u>2017</u>	New
	C2017.15: Additional work shall be completed by the Cape Cod Commission to identify funding sources for the Capital Trust Fund and Septic Trust Fund.	<u>2017</u>	New


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 <p>INFORMATION</p>	I4.4: Barnstable County or towns should commission septage studies to evaluate the demands for septage treatment.	2015	Complete
	I4.8: Draft monitoring protocols for non-traditional technologies shall be provided by the Cape Cod Commission based on input from the Monitoring Committee in a Technical Guidance document by September 2015.	2015	Complete
	I4.1: The Cape Cod Commission shall develop a process for annual updates to the Technologies Matrix.	Annual	In Progress
	I4.2: The Cape Cod Commission shall seek opportunities to sponsor an annual symposium to present and review new research on nutrient management technologies and approaches that coincides with regular updates to the Technologies Matrix.	Annual	In Progress
	I4.7: Performance monitoring shall be required for all technologies.	Annual	In Progress
	I4.9: The Cape Cod Commission shall create a standing Monitoring Committee to support implementation of the plan and identify and track developing issues, such as CECs and climate change impacts to technology performance, subject to available resources.	2015	In Progress

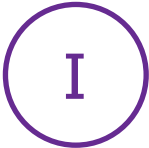
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	RECOMMENDATION	YEAR RECOMMENDED	STATUS
 <p>INFORMATION</p>	<p>14.10: A regional water quality monitoring program and data warehouse shall be established and the Cape Cod Commission shall assume responsibility for monitoring and maintaining regionally-consistent data sets that are freely accessible to the public, subject to available resources.</p>	2015	In Progress
	<p>17.3: MassDOT and the Cape Cod Commission should coordinate the methodologies for assessing stormwater contributions.</p>	2015	In Progress
	<p>12017.3: The Cape Cod Commission shall establish criteria to be included in annual compliance reports no later than January 2018.</p>	<u>2017</u>	New
	<p>12017.5: The Monitoring Committee shall identify any remaining technologies that require monitoring protocols and amend the preliminary guidance document issued in 2016 to include all necessary monitoring protocols for non-traditional technology implementation.</p>	<u>2017</u>	New
	<p>12017.6: The Cape Cod Commission shall work with MassDEP, the Cape Cod Water Protection Collaborative and other partners, as appropriate, to formally establish and overall structure for the regional water quality monitoring program.</p>	<u>2017</u>	New


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 <p>INFORMATION</p>	<p>I2017.7: The Cape Cod Commission shall work through a committee of representatives from each of the 15 Cape Cod communities to establish a data sharing agreement to obtain embayment water quality monitoring data and technology performance data, if available, on an annual basis. As part of this agreement communities should agree to use the template developed as part of the database management effort for providing data.</p>	<u>2017</u>	New
	<p>I2017.19: The Cape Cod Commission shall pursue an update to the parcel and water use data used in WatershedMVP and other decision support tools in FY18, consistent with the five year intervals proposed in the 208 Plan Update for data acquisition.</p>	<u>2017</u>	New
	<p>I2017.20: The Cape Cod Commission shall update WatershedMVP and other decision support tools in FY18 based on newly acquired data.</p>	<u>2017</u>	New
	<p>I2017.21: The Cape Cod Commission shall revisit functionality available in decision support tools, such as WatershedMVP, regularly to ensure the tools remain effective for planning purposes.</p>	Annual	New


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 <p>REGULATORY REFORM</p>	<p>R3.7: All nutrient management planning in the region shall be subject to review for consistency with the Section 208 Plan Update.</p>	2015	Complete
	<p>R5.1: Targeted Watershed Management Plan (TWMP) guidance including minimum performance standards for nitrogen in degraded water bodies shall be drafted and issued by the Cape Cod Commission, in concert with MassDEP, pursuant to this update within 90 days of its approval.</p>	2015	Complete
	<p>R8.1: The Cape Cod Commission recommends the Commonwealth of Massachusetts designate each of the 15 towns in Barnstable County as the WMAs responsible for implementation of the Section 208 Plan Update in the watersheds for which they are responsible.</p>	2015	Complete
	<p>R3.1: The Commonwealth of Massachusetts should seek delegated authority under the Clean Water Act to issue and enforce NPDES permits.</p>	2015	In Progress
	<p>R3.2: MassDEP should issue guidance regarding watershed permitting.</p>	2015	In Progress
	<p>R3.3: MassDEP should consider designating as Nitrogen Sensitive Areas watersheds contributing to waterbodies impaired by nitrogen that are subject to a 208 Plan, whose development primarily relies on on-site septic systems and/or where the water body is listed on the 303(d) list due to nitrogen overloading and modify available remedial actions to allow for appropriate time for waste management agencies to plan.</p>	2015	In Progress


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 <p>REGULATORY REFORM</p>	<p>R3.5: The Cape Cod Commission shall amend its regulations accommodating for the unique nature of capital wastewater management planning.</p>	2015	In Progress
	<p>R3.6: The Cape Cod Commission and MEPA should work together to develop an effective and streamlined process for reviewing projects designed pursuant to the Section 208 Plan Update that are reviewed jointly by both agencies.</p>	2015	In Progress
	<p>R3.8: Specific guidance on the Section 208 Plan Update Consistency Review shall be issued by the Cape Cod Commission within 90 days of the 208 Plan Update approval.</p>	2015	In Progress
	<p>R2017.8: The Cape Cod Commission shall adopt regulation amendments to allow for 208 Plan Update Consistency Review in place of traditional DRI review for municipal water quality and wastewater capital plans.</p>	<u>2017</u>	New
	<p>R2017.9: The Cape Cod Commission shall review project proposals for State funds, such as MassWorks grants, for consistency with the 208 Plan Update, as applicable.</p>	Annual	New


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 <p>REGULATORY REFORM</p>	<p>R2017.11: The Cape Cod Commission shall work with MEPA to adopt a revised Memorandum of Understanding (MOU) that incorporates this new regulatory process and allows for an expeditious review of projects of this nature, as appropriate and applicable, specifically, that targeted watershed plans requiring MEPA review be allowed to proceed through MEPA review, even if a town or towns have not yet developed town-wide wastewater or watershed management plans.</p>	<u>2017</u>	New
	<p>R3.4: MassDEP should consider eliminating or amending the regulatory language establishing the presumption that Title 5 systems meet the state water quality standards in situations where it has been established that septic systems contribute to non-attainment.</p>	2015	Not Started


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 <p>SUPPORT</p>	S4.3: The Cape Cod Commission shall provide a detailed evaluation of effluent disposal options by September 2015.	2015	Complete
	S4.5: The Cape Cod Commission, in conjunction with MassDEP, shall establish criteria for eligible pilot projects.	2015	Complete
	S1.1: The Cape Cod Commission shall develop guidance on managing disagreement among parties.	2015	In Progress
	S4.6: In coordination with US EPA and MassDEP, the Cape Cod Commission shall work with communities, state and federal agencies to identify opportunities to implement pilot projects in suitable locations across Cape Cod.	Annual	In Progress
	S5.2: Targeted watershed planning efforts shall adopt a hybrid watershed scenario planning process.	2015	In Progress
	S5.3: The Cape Cod Commission shall assign Watershed Teams to provide technical assistance to Waste Treatment Management Agencies (WMAs) and municipalities.	2015	In Progress
	S6.3: The Cape Cod Commission shall evaluate the steps required for a regional or locally based nitrogen impact fee.	2015	In Progress


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 <p>SUPPORT</p>	S6.6: Implementation of the Section 208 Plan Update shall include a local public participation process that includes efforts specifically designed to reach environmental justice communities.	2015	In Progress
	S7.1: The Cape Cod Commission shall continue discussion and coordination with JBCC and MassDevelopment regarding wastewater allocation policy for the base.	2015	In Progress
	S7.2: The Military should ensure that future development within the cantonment area be connected to the JBCC wastewater treatment plant wherever feasible.	2015	In Progress
	S2017.1: Communities that contribute to the priority watersheds identified in the 2017 Implementation Report should develop agreed upon nitrogen allocations and, in shared watersheds, adopt an intermunicipal agreement that, at a minimum, establishes responsibility in FY18.	<u>2017</u>	New
	S2017.2: Communities that contribute to the priority watersheds identified in the 2017 Implementation Report should outline a plan and schedule for hybrid watershed scenario development and develop hybrid watershed scenarios consistent with the 208 Plan Update in FY19.	<u>2017</u>	New

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 <p>SUPPORT</p>	<p>S2017.4: The Cape Cod Commission shall transfer the newly developed process for publicly vetting transportation planning and implementation projects with the Cape's Environmental Justice communities in a manner that will facilitate local and regional outreach to EJ communities for wastewater infrastructure planning and implementation.</p>	<u>2017</u>	New
	<p>S2017.16: Upon the transfer of ownership of the JBCC treatment facility, Cape Cod Commission staff shall discuss with MassDevelopment, or the appropriate owner, a reasonable allocation policy that ensures local wastewater needs can be met.</p>	<u>2017</u>	New
	<p>S2017.17: The Cape Cod Commission shall continue to identify opportunities for use of MassDOT rights-of-way and engage MassDOT staff in conversations on how to best implement such strategies.</p>	<u>2017</u>	New
	<p>S2017.18: The Cape Cod Commission shall continue to work with local publicly owned facilities and their operators to ensure adequate septage disposal coverage in the future.</p>	<u>2017</u>	New