

T O W N O F



H A R W I C H

Harwich, Massachusetts
02645

November 19, 2014

Paul Niedzwiecki, Executive Director
Cape Cod Commission
P.O. Box 226
3325 Main Street
Barnstable, MA 02630

Subject: Comments on Draft 208 Water Quality Management Plan

Dear Mr. Niedzwiecki:

The Town of Harwich Wastewater Implementation Committee (WIC) is in the process of finalizing our town-wide Comprehensive Wastewater Management Plan (CWMP) and updating water quality program and cost recovery components accordingly. As part of that work, we have reviewed the Draft 208 Cape Cod Area Wide Water Quality Management Plan Update (Draft 208 Plan) and offer the following comments for your consideration.

1. The Draft 208 Plan is a very good educational tool and we would like to see the Commission develop a Cape-wide public outreach program utilizing much of the information presented in the plan. Harwich has been working with Commission staff to try and develop such a program for Harwich but this is clearly a Cape-wide issue.
2. We would like to see more specifics developed regarding use of the Cape Cod Triple Value Simulation (3VS) Model and how it can be utilized. Understanding local impacts of social, economic and environmental costs of no action to address water quality degradation is the key to having voters pass local funding to implement solutions. Examples or hypothetical case studies using this model should be provided.
3. The WIC supports the regionalization of water quality data collection and maintenance as it pertains to the monitoring of nitrogen management progress. In addition to monitoring estuaries and embayments, the Town has performed annual sampling of several of its freshwater ponds to help address phosphorus issues. While the Draft 208 Plan deals predominately with nitrogen, the WIC is hopeful that the Commission will expand support in the future for data collection, cataloguing, and analysis similar to that proposed for nitrogen for the water quality data collected from the region's freshwater ponds.

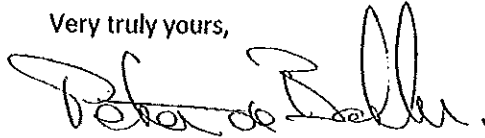
4. The Draft 208 Plan indicates that each town will be responsible for addressing nitrogen loading in shared watersheds commensurate with their percentage contribution to the nitrogen loading. We would like to see the Commission in conjunction with the Massachusetts Department of Environmental Protection (MassDEP) develop a clear policy on how fair share contributions should be established. This will help alleviate complications that can occur in negotiating inter-municipal agreements.
5. We thought the regional subwatershed plans would be made available to communities. However, we have viewed with Commission staff some of the plans for Harwich and have a concern that they present a completely different picture than our current Draft CWMP. The reasons appear to be due to significantly different assumptions being made. We believe our plan more closely reflects the conditions and relevant assumptions specific to Harwich and are concerned that releasing the subwatershed plans without clearly documented assumptions as to how they were developed will lead to unproductive confusion.
6. The nitrogen removal ranges shown in the technology matrix are very wide for some technologies, which makes planning challenging when considering those technologies. The WIC requests that the Commission continue to refine this information as pilot data becomes available and continue to make the updated matrix available to the public. Sources of the percentages provided for nitrogen and phosphorus removal should also be clearly referenced.
7. The Draft 208 Plan mentions but does not address what we believe will be the next major water quality issue after nutrients are addressed, which is to deal with pharmaceuticals and personal care products (PPCP) and contaminants of emerging concern (CECs). We would like to see the technology matrix address in more detail how each is equipped to address PPCPs and CECs.
8. As discussed in the Draft 208 Plan, the Massachusetts Department of Transportation (MassDOT) projects have the ability to have major impacts on nitrogen management issues and solutions. Harwich is in the process of implementing a bridge/culvert project in Muddy Creek to remove the restriction on tidal flushing. Coordination with MassDOT has posed a challenge and resulted in significant cost increases to the project. We would encourage the Commission to assist communities in their collaboration with MassDOT by providing an additional voice to ensure that future projects are designed with water quality management as a primary goal in addition to transportation infrastructure improvements. Also on page 6-5, the schedule for this project should be updated to construction starting in fall 2015.
9. The Draft 208 Plan presents a wealth of information about funding and revenue modeling performed as part of this effort. Section 7 suggests a potential cost distribution option of 50% local funding, 25% state funding, and 25% federal funding. Is it realistic for communities to target 50% funding to assist in their program implementation? What is the Commission doing to help make this happen and what can communities like Harwich do to assist in that effort.
10. During several public forums on the Draft 208 Plan it was stated that this plan has cut the wastewater program costs on Cape Cod in half by lowering an \$8 billion program down to about \$4.5 billion. We would like to see more backup as to how these two estimates were calculated,

so that we can better understand where the real savings have occurred and how we can apply those specific concepts to Harwich.

11. As you are aware, Harwich has submitted a Draft CWMP/Expanded Environmental Notification Form and has received a MEPA Certificate outlining the scope of the Final CWMP/Single Environmental Impact Report (SEIR). While the Draft 208 Plan emphasizes a watershed planning approach, Harwich is proceeding under the assumption that our present course of action will not be required to shift based on the Draft 208 Plan. Four of Harwich's five Massachusetts Estuaries Project (MEP) watersheds are located almost entirely within the town boundaries (Herring River, Allen Harbor, Wychmere Harbor, and Saquatucket Harbor). The fifth estuary, Pleasant Bay, is shared with Chatham, Brewster, and Orleans. As recommended in the Draft CWMP, Harwich is in the process of pursuing a regional solution with neighboring Chatham. Therefore, the general intent of watershed-based planning has been accomplished in the plan developed to date. In addition, the plan incorporates non-traditional solutions (inlet widening and natural attenuation projects). Harwich intends to continue the process of filing the Final CWMP/SEIR in 2015 and requests that the Commission support this approach.

On behalf of the Harwich WIC, we thank you for the opportunity to comment on the Draft 208 Plan. The plan is a very good educational tool and we will continue to evaluate how best to utilize the concepts, options and tools it provides as we finalize our CWMP.

Very truly yours,



Peter de Bakker
Chairman, WIC

cc: Harwich Board of Selectmen
Chris Clark, Harwich Town Administrator
CDM Smith