

MINUTES OF THE
CAPE COD WATER PROTECTION COLLABORATIVE
02-13-08

A meeting of the Cape Cod Water Protection Collaborative was held at the Superior Courthouse in Barnstable on February 13, 2008 commencing at 9:39 a.m.

Members:

Barnstable	Mark Ells	Present
Bourne	Peggy Fantozzi	Present
Brewster	Jillian Douglas	Absent
Chatham	Robert Duncanson	Present
Dennis	Sheryl McMahan	Present
Eastham	Jane Crowley	Present
Falmouth	Jack Barnes	Present
Harwich	Larry Ballantine	Present
Mashpee	John Cahalane	Present
Orleans	Augusta McKusick	Absent
Provincetown	Cheryl Andrews	Absent
Sandwich	David Mason	Absent
Truro	Pat Pajaron	Absent
Wellfleet	Emily E. H. Beebe	Absent
Yarmouth	George Allaire	Absent

County Commissioners' Appointees:

John O'Brien	Absent
John Hinckley	Present

Others Present:

Andrew Gottlieb	Executive Director
Kara McCormick	Barnstable County Staff
Susan Rask	Barnstable County Department of Health and Environment
Gerald Potamis	Town of Falmouth
Phil Jasset	UCANE
Terry Campbell	Stearns & Wheler, LLC
Michael Zylich	Sandwich WQAC
Paul McCormick	Dennis Selectmen
Patrick E. Rogers	Department of Environmental Protection
Tom Cambareri	Cape Cod Commission
Steven McCurdy	Department of Environmental Protection

In the absence of Augusta McKusick, Chairman, and Cheryl Andrews, Vice-Chairman, Peggy Fantozzi called the meeting to order and welcomed members from the Public.

1) Review of Appointments – Andrew Gottlieb

With the two-year terms of the Governing Board members expiring, Mr. Gottlieb distributed a list to the Governing Board members that listed their current term period. He asked that for those members of the board that did not have term dates listed next to their name to go back to their appointing authority and ask to verify their term period and to then provide that information to him. Mr. Gottlieb informed the Board that he will send a letter out to each of the towns requesting they re-appoint current members or to appoint a new member to the Board.

2) Smart Growth Grant – Susan Rask

Ms. Rask provided the Board with a brief overview of the history of the smart growth project. She explained that the smart growth project was launched by the Cape Cod Water Protection Collaborative (CCWPC) to engage all fifteen Cape Cod towns in a discussion about the growth implications of sewerage, and to explore and develop smart growth tools that can be implemented to control unwanted growth and guide desired growth in the context of sewerage. A final report of the project will identify gaps between land use and wastewater planning, and will recommend smart growth strategies and tools to fill the gaps. The final report also will be the subject of an extensive public outreach and education campaign to facilitate awareness, implementation, and integration of strategies and tools at local and regional levels. Late last year the CCWPC issued an RFP and hired Ridley & Associates, Inc. to coordinate the project. A work group was established consisting of several members of the Collaborative, representatives from several towns, the Cape Cod Commission, and County Health Department, and reflecting expertise in planning, wastewater, health and conservation policy. In its first three meetings the work group took on the task of crystallizing the primary growth management scenarios related to sewerage.

Ms. Rask introduced Carole Ridley of Ridley and Associates. Ms. Ridley outlined the seven scenarios identified to date:

- 1) Unwanted residential development in mature near-shore residential neighborhoods.
- 2) Undesirable residential sprawl in sensitive resources areas, such as Zones of Contribution, or areas with extensive wetlands and wildlife habitat.
- 3) Undesirable growth in an existing commercial area in which sewers are installed for remediation.
- 4) Absorption of limited treatment capacity intended for mixed use development by high impact commercial uses.
- 5) Limited sewer capacity designed to achieve TMDLs supports growth that ultimately exceeds TMDLs or planned treatment capacity.
- 6) Sewers are installed in one part of town to meet TMDLs, and the remainder of the town remains on septic systems without further growth controls.
- 7) Towns plan treatment capacity and sewerage necessary to meet TMDLs without controls on growth or what uses can be tied in to sewer.

Survey results from 13 of the 15 towns helped to confirm and refine the preliminary list of scenarios. The next steps will be to examine the outcomes associated with each

scenario and begin to flesh out responsive or pre-emptive strategies and recommendations. Preliminary discussions with Paul Niedzwiecki, Executive Director, Cape Cod Commission, were held regarding the potential for Commission to support in developing GIS maps to illustrate the scenarios. To move this process forward Ms. Ridley and Ms. Rask are requesting that the CCWPC request technical support from the Commission to accomplish this portion of the project.

Ms. Rask also asked members of the Board to write letters of support for a grant proposal in the amount of \$35,000 for one year. Andrew Gottlieb will draft a letter and forward to all members.

3) Executive Director Report – Andrew Gottlieb

a) *Legislative Report*

Mr. Gottlieb reported that the Bill has been modified and assigned a new number, S2491. The Clerks' office has not entered the bill into the system yet so he advised Board Members that they would not be able to view the Bill online at this point. Once he receives the final version from the Clerks' Office he will forward to all Board Members. He did note that he received positive feedback in his conversations with Secretary O'Connell. He feels worst case scenario the Secretary's Office will remain neutral and quiet. Best case scenario the office will be supportive. He also notified that Board that Ways & Means have not gotten around to assigning staff to this yet.

b) *FY'08 Budget Review*

Upon the request of the Steering Committee, Mr. Gottlieb put together a year to date accounting of the FY'08 budget and distributed to all Board Members. He provided a review of line items and expenditure history.

c) *Steering Committee Report/FY '08 Budget Reallocation*

At the 1/31/08 Steering Committee meeting members discussed two issues that relate to the reallocation of funding in the FY'08 budget:

i. DEP Needs Survey for the SRF. Mr. Gottlieb distributed a description of the process and DEP will present the matter later in the meeting. The Steering Committee voted to spend up to \$10,000 to support community participation in the Needs Survey process.

ii. The development of a database detailing the status of water protection activities was deemed the most important initiative to get underway. The database was seen as the logical bridge between updating previous work done by the WIC and Blue Ribbon Committee and the initial steps of the regional Wastewater Plan. The Steering Committee voted to authorize the Executive Director, with concurrence of the Governing Board, to enter into an agreement with the Cape Cod Commission to develop the database and web site for an amount not to exceed \$30,000. More detail on the scope of work will be presented later in the meeting.

4) DEP SRF Needs Survey Presentation/Discussion – Steve McCurdy, Patrick Rogers and Andrew Gottlieb.

Mr. McCurdy, Director of SRF Program, spoke about CWNS Basics, a comprehensive assessment of the capital needs to meet the water quality goals set in the Clean Water Act. He explained that every four years, the states and EPA collect information about the following:

- Publicly owned wastewater collection and treatment facilities
- Stormwater and combined sewer overflows control facilities
- Nonpoint source pollution control projects
- Decentralized wastewater management
- Estuary management projects.

This Survey has been ongoing since 1992. Once all information is collected it is used by EPA to document national needs in a Report to Congress. The Report provides Congress, as well as state legislatures, with information to assist their budgeting efforts. Mr. McCurdy handed out a memo detailing the CWNS Basics.

Patrick Rogers, Mass DEP, addressed the Board on the Clean Water survey. Town Needs surveys were completed by the towns of Barnstable and Dennis. Questionnaires were sent out to all fifteen towns of the Cape and DEP is still waiting to hear from the towns of Wellfleet, Eastham, Harwich, Mashpee, Bourne and Brewster. Surveys were mailed to either the DPW heads or to the Board of Health. Copy of what was sent to the towns was distributed to Board Members. DEP will hire consultants. The training program for the consultants will start in March. All communities selected will be notified by mail and the consultant will meet with the town. Andrew Gottlieb advised he will send the Board Members a list of who the survey was sent to in each town.

Andrew Gottlieb stated he was looking to the Board to authorize spending up to \$10,000 for needs survey.

Moved by John Hinckley that the Collaborative allocate as recommended by the Executive Director the sum of money as described. 2nd by John Cahalane. Approved by all.

5) Reports on the 1/16/08 County Commissioners and Assembly of Delegates meetings, Andrew Gottlieb.

Mr. Gottlieb gave a brief report of his meeting with the County Commissioners to review the FY'09 budget. He also commented that his meeting with the Assembly went really well. Delegates were interested in the Collaboratives progress and financial strategies.

6) March and April 2008 Governing Board Meetings, Peggy Fantozzi

Ms. Fantozzi reminded members that there will be no March meeting. The April meeting will be held in Orleans with special guest Brian Howes of UMASS/Dartmouth. Mr. Gottlieb strongly urged that members use this opportunity to ask questions to Mr. Howes to satisfy remaining questions in their communities.

7) Minutes

Approving the Minutes from 12/12/07 and 1/9/08 were tabled until the April meeting due to a lack of quorum. Board member Larry Balletine excused himself from the meeting early.

Meeting adjourned 11:11 a.m.