2ND ANNUAL CAPE COASTAL CONFERENCE



Linking Science with Local Solutions and Decision-Making

June 5

STREAMLINING REGULATORY REVIEW FOR TARGETED WATERSHED MANAGEMENT PLANS

KRISTY SENATORI, DEPUTY DIRECTOR CAPE COD COMMISSION



CURRENT PROCESS

Wastewater discharges are currently regulated in the Commonwealth through the following means:

SEPTIC SYSTEMS

Regulation of the systems is under the jurisdiction of the Boards of Health in each city/town, in accordance with 310 CMR 15.000 (Title 5).



B.O.H. ROLE: Ensure that the systems are installed & maintained according to code.

GROUNDWATER DISCHARGES

- For volumes over 10,000 gallons/day
- Prominent on Cape Cod
- Permits require secondary treatment with a nitrogen limit of 10 mg/l before discharging to the ground
- Primarily domestic & commercial wastewater facilities



MassDEP ROLE: Issue Groundwater Discharge Permits for facilities that discharge to the ground.

SURFACE WATER DISCHARGES

- Permits have end of the pipe effluent limits for pollutants of concern, like nitrogen and phosphorous, that comply with the surface water quality standards.
- US EPA has authorized all but five states to participate in administration and enforcement of NPDES permits

NPDES: National Pollutant Discharge Elimination System

MassDEP ROLE: Issues NPDES permits jointly with US EPA

NON-TRADITIONAL APPROACHES

Existing Permitting for Non-Traditional Technologies ACOE DEP BOH ConComm MEPA EPA Technology/Approach Pond Dredging Salt Marsh Restoration Shellfish Bed Restoration Fertigation Wells Shellfish Aquaculture Perm. React. Barrier Inlet Widening

Additional permits may apply. Other agencies involved could include:

MassDOT

Eco Toilet Systems

- MA Historical Commission
- MA Natural Heritage and Endangered Species Program
- US Fish & Wildlife Service/MA Division of Marine Fisheries

Permit likely required
Permit may be required,

depending on location

JOINT REVIEW PROCESS HOW DOES IT WORK?

CWMP Joint MEPA/CCC Review: Projects Requiring Environmental Impact Report (EIR)







CURRENT CWMP Joint MEPA/CCC Review: Projects Requiring Environmental Impact Report (EIR)





REGIONAL POLICY PLAN MINIMUM PERFORMANCE STANDARDS



THE CURRENT APPROACH

IS NOT CONDUCIVE TO LOCAL PLANS EXPECTED UNDER THE §208 UPDATE

2 WORKS WITHIN TOWN BOUNDARIES, NOT THE JURISDICTION OF THE PROBLEM: WATERSHEDS.

A NEW APPROACH FOR TARGETED WATERSHED MANAGEMENT PLANS

WATERSHED PERMITTING: HOW WILL IT WORK?

SHOULD WATERSHED COLLABORATIONS BE FORMED? HOW? HOW CAN WE PERMIT THEM?

WATERSHED PERMITTING: HOW WILL IT WORK?

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Issued for one or more municipalities to facilitate watershed focus

GROUNDWATER DISCHARGE PERMITS: 314 CMR 5.00 Water quality targets established (MEP, TMDLs)

Will incorporate appropriate strategies to achieve these targets using a variety of treatment approaches

Will incorporate monitoring requirements & adaptive management practices tailored to treatment approaches

ADAPTIVE MANAGEMENT HOW WILL IT WORK?

Communities can:

- try various approaches & determine their effectiveness
- accurately monitor & assess performance
- make changes necessary to achieve water quality targets



ADAPTIVE MANAGEMENT HOW WILL IT WORK?



Nitrogen will be allocated within each watershed.

2 **GENERAL** WATERSHED **PERMIT APPROACH** 3

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Nitrogen will be allocated within each watershed.

Waste management agencies designated, and intermunicipal collaboration tools are selected.

GENERAL WATERSHED PERMIT APPROACH

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GENERAL

WATERSHED

PERMIT APPROACH

Nitrogen will be allocated within each watershed.

Waste management agencies designated, and intermunicipal collaboration tools are selected.

> Technology options are identified, establishing implementation and monitoring conditions

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3

Nitrogen will be allocated within each watershed.

Waste management agencies designated, and intermunicipal collaboration tools are selected.

> Technology options are identified, establishing implementation and monitoring conditions

Nitrogen Credit Exchange Program could be established

GENERAL WATERSHED PERMIT APPROACH

COMPREHENSIVE vs. TARGETED WASTEWATER MANAGEMENT PLANS



NUTRIENT REMEDIATION PROJECTS



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PROPOSED SPECIAL REVIEW PROCESS BY THE COMMISSION

Consultation with CCC

-> Review 208 requirements and provide decision support tools

WATERSHED ASSOCIATIONS ARE FORMED

-> Designated by the Secretary as Citizens Advisory Committee

WATERSHED MANAGEMENT PLAN DEVELOPED

(N, Phos, CECs, etc.)-> TWMP, CWMP, Nutrient Remediation Projects-> Submitted to MEPA/CCC under SRP

4

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2.

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PUBLIC HEARING PROCESS

5.

FINAL REVIEW DOCUMENT (one document – compliance with MEPA and 208 – considered the MEPA FEIR and CCC DRI)

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SECRETARY ISSUES CERTIFICATE OF FEIR ADEQUACY & CCC ISSUES DRI APPROVAL 2ND ANNUAL CAPE COASTAL CONFERENCE

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THANK YOU

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