



Written by David Still II

CC Commission to go watershed by watershed

In all of the discussion about handling wastewater on Cape Cod, no one's fixed a price on just what it would take to do that.

A report being prepared for the Cape Cod Commission seeks to add dollars to the discussion, providing gross cost estimates for various Cape-wide wastewater management options.

"We will have something to say about the cost of sewerage the Cape by Thanksgiving," Cape Cod Commission Executive Director Paul Niedzwiecki said.

That information came as part of a wide-ranging discussion Sept. 30 with a subcommittee of Barnstable's Comprehensive Advisory Committee. The subcommittee requested the meeting to assist with the task assigned to it by the town council to research available finance options for Barnstable's wastewater treatment needs.

In an email exchange Oct. 1, Niedzwiecki said that the Commission intends to use the cost analysis as a measure in a Regional Policy Plan for Wastewater.

"A pillar of the regional policy will be to identify the least costly approaches to solve the problem, watershed by watershed," Niedzwiecki said in the email.

The cost report will be based on the work of the Massachusetts Estuaries Program, which is establishing maximum nutrient loads for embayments across the Cape. It will also be prioritized based on level of impairment.

At the meeting, Niedzwiecki said that commission staff met on a draft earlier that day and said, "We're getting close to some of these cost estimates."

The report is being prepared by Mike Giggey, a consultant with the Wright Pierce engineering firm in Andover. Giggey is not unfamiliar with the Cape's wastewater landscape. He provided much of the work behind the Town of Orleans' plan and helped prepare a 2004 report for the Cape Cod Commission outlining wastewater management possibilities from a legal, planning and administrative perspective.

That report served as the basis for creation of the Cape Cod Wastewater Collaborative and was drafted by Wright Pierce, Teal Associates of New Bedford and CLF Ventures, the non-profit affiliate of the Conservation Law Foundation.

The Conservation Law Foundation and what it may do in terms of legal action regarding the Cape's wastewater planning remains a lens through which much of the discussion is focused.

Comments from CLF staff attorney Cynthia Liebman at the 3 Bays, Inc. annual meeting Sept. 10 provided insight into some of the considerations for legal action. She offered a brief analysis of the various players that have a hand in regulating and enforcing water quality standards.

Included in the last was the federal Environmental Protection Agency, Massachusetts Department of Environmental Protection, the Cape Cod Commission and individual towns.

At the meeting, Liebman said, "There will be difficult questions of what the appropriate roles are for all these players, but that's something that CLF is actively looking at."

Should CLF bring suit under the federal Clean Water Act, Niedzwiecki expects to be "on the wrong side of the v," as in "CLF versus," along with other regulatory agencies.

"This is a national imperative for them," he told the CFAC subcommittee. "It's a big case."