



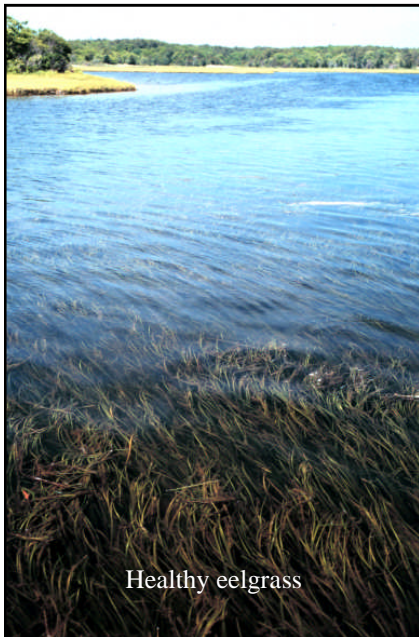
The Three Bays Monitor

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Wastewater Infrastructure Legislation

We have followed with great interest Sen. Rob O'Leary's work on the new water protection bill that recently passed the Senate and currently awaits action in the House. As with any new legislation it takes some time to bring all the parties together to reach a consensus. This is especially true in our state Legislature as there are many diverse interests throughout the State and many players that have to be dealt with. Despite its relatively small size, Massachusetts has many varied constituencies that must be served. From our coastal communities here in the east, to the farms of the Connecticut River Valley, to the hills of the Berkshires, each area has its own environmental needs and what works in one location may not work in another. Compromises must be reached and tradeoffs are inevitable. What is important to those of us who live in the Three Bays Watershed is to support this legislation as a first step to cleaning up our coastal embayments. Sewering is the ultimate solution to improving the water quality in the bays and this bill will enable towns to fund this wastewater infrastructure. What follows is a description of the bill as proposed in the legislature:



Healthy eelgrass

AN ACT RELATIVE TO WATER PROTECTION

Excess nutrients are fouling water resources throughout Massachusetts. Phosphorus in freshwater systems and nitrogen in salt water environments act as fertilizers that overfeed algae and other plants that then turn our waters green. Water resources in all parts of Massachusetts suffer from the effects of excess nutrients originating from inadequately treated wastewater, excessive fertilization and storm water runoff, leading to the degradation of the Commonwealth's ponds and estuaries. The degradation poses both an environmental and economic threat to the Cape, putting at risk commercial fisheries and tourism, as well as the health and resiliency of ponds and embayments. Cape Cod, Southeastern Massachusetts and other regions of the Commonwealth are facing a monumental challenge to address wastewater problems. An estimated 85% of homes and businesses on Cape Cod rely on on-site septic systems for wastewater discharge, which has resulted in excess nitrogen and phosphorus in our groundwater. The costs to remedy this problem on the Cape alone are estimated in the billions of dollars.

Senate Bill 2776, the "Massachusetts Clean Water Act", would provide a new framework to enable communities to finally clean up excess nutrients from inadequately treated wastewater. The planning portion of the bill requires towns to adopt a comprehensive wastewater management plan that controls net increase in wastewater flow to that of current Title V requirements. Should towns change their zoning appropriately, they will be given more flexible planning tools that allow for sewers to be more appropriately aimed at remediating specific nutrient-loading problems.

The financial portion of the bill makes up to \$100 million in zero interest loans available in each of the next ten years for cities and towns to address wastewater nutrient issues. These funds are currently available at an annual rate of 2% from the State Revolving Loan Fund, a state and federal partnership that makes loans available for wastewater and drinking water projects. The bill also

allows the betterments associated with new sewer development to be amortized over a period of as long as 50 years, up from the original limit of 20 years. With these provisions, most projects would see the annual cost to the homeowner cut in half.

Should the bill pass the House of Representatives by the close of the formal session at the end of July, its provisions will be available to cities and towns as early as January, 2009.

Part I: Sewer and development:

- ◆ Authorizes by local vote, a community that has a DEP approved Comprehensive Wastewater Management Plan (CWMP) to construct and maintain a wastewater treatment system for the purpose of nutrient reduction and drinking water protection.
- ◆ Requires/disallows individual homes to connect to a sewer based on the CWMP.
- ◆ Limits the total flow capacity of a property connecting to the sewer to the capacity at time of connection.
- ◆ Allows the town to grant connections to properties served by failed septic systems, and for “public good” projects, such as 40B/40R projects and public buildings.

Part II: Incentives, State Revolving Loan Fund:

- ◆ The bill amends the Clean Water State Revolving Fund by allowing for 0% interest on projects intended to reduce nutrient enrichment of surface waters or drinking water. In order to qualify for 0% interest financing, a project must appear on the DEP Intended Use Plan between 2009 and 2019 and be consistent with any regional wastewater management plan.
- ◆ In addition, the municipality must:
 - ◆ not be subject to a DEP or EPA enforcement action arising from nutrients.
 - ◆ have a DEP approved Comprehensive Water Resources Management Plan.
 - ◆ have adopted land use controls to ensure that the wastewater project will not result in an increase in wastewater flows beyond what was authorized under zoning and Title V.
 - ◆ Extends the period of time that a community may borrow and assess betterments to the shorter of 50 years or the useful life of the wastewater system. Communities are also authorized to short term borrow for up to 5 years for wastewater construction.

This legislation is the next logical step complementing the ongoing comprehensive assessment of estuaries in the Commonwealth through the Massachusetts Estuaries Project, and provides the necessary tools required to enable communities to remain in compliance with the Clean Water Act.



Summer on Dead Neck/Sampson’s	Tidbits
<p>Now that summer has finally arrived, we would like to remind all our members that they should have their membership cards ready to show to our summer rangers working on the island. Every visitor to Dead Neck or Sampson’s should be a member of either Three Bays Preservation or Mass Audubon Society. Your first visit is free, but the next time you visit, there will be a \$10.00 charge. If you plan on visiting the island more than once, it might just be worth your while to become a member of Three Bays for only \$25.00!</p>	<p>Our website is currently going through a renovation process. Please excuse us while we update our site to bring you more timely information and an easier design to navigate.</p> <p>Also, if you would prefer to receive your newsletter electronically, please email our office at info@3Bays.org and let us know. This helps us to save on paper, printing, and postage expenses.</p>

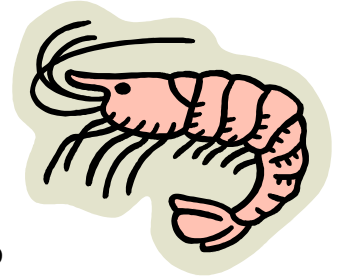


Explore the Shore with Mass Audubon

Three Bays Preservation would like to invite all our members and their children to join Mass Audubon every Saturday morning to explore the shore and see what wonderful creatures make Dead Neck/Sampson's Island their home.

You'll have a chance to:

- Use a seine net to capture fish, shrimp and crabs.
- Dig down into the sand and learn what lives beneath the surface.
- Learn how to identify different birds that nest in the area or just like to come to find something delicious to eat.
- Hunt for baby horseshoe crabs that live in Pirate's Cove.



Dates: Every Saturday beginning July 5 and ending Aug. 9, 2008.
If it rains, we will use the next day, Sunday, as a rain date.

Time: 10 a.m.

Meet: At the entrance to Pirate's Cove on Sampson's Island.

Bring: Towels, bathing suits, water shoes and a healthy curiosity.

The Birds that Call Dead Neck Island Home

It just wouldn't be summer if we didn't talk a little about the birds that live on Dead Neck/Sampson's Island. We have discovered that many people are unaware that Dead Neck and Sampson's Islands are actually two individual islands that have been joined together by years of sand movement. Dead Neck (about 90 acres) is owned by Three Bays Preservation and Sampson's (about 30 acres) is owned by the Massachusetts Audubon Society. Every year, Three Bays Preservation hires Mass Audubon to manage the birds on Dead Neck. So while the rangers from Mass Audubon are checking on the birds that nest on both islands, the rangers from Three Bays are checking on the human visitors. Dead Neck/Sampson's (more commonly seen as DN/SI) has a few distinctions that we feel are worth mentioning.

This current season:

- DN/SI is the most densely populated area for nesting piping plovers on the entire East Coast.
- DN/SI had the earliest hatching piping plover nest in the entire state of Massachusetts.
- DN/SI has the most diverse population of nesting coastal shorebirds with six different species:
 1. Piping plovers
 2. Least terns
 3. Spotted sandpipers
 4. Willets
 5. Common terns
 6. American oystercatchers

So you can see why we feel it is so important to maintain the island and check on our visitors. We are very proud of what we have been able to achieve and we would like to keep it that way!





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Cape Cod Academy Students Working At Three Bays

For the fourth year, Three Bays Preservation was very pleased to welcome two Cape Cod Academy Seniors to our working staff. As part of their graduation requirement, each senior at Cape Cod Academy must volunteer for 80 hours performing community service to local nonprofits. This year we were fortunate to have Kevin Crowley from Cotuit and Alec Harrison from Dennis choose Three Bays Preservation as their project organization. Each day, they accompanied Program Manager Judy Heller over to Dead Neck Island to help get the island ready for the influx of summer visitors, both human and avian. Putting up informational signs, cleaning the trash off the beaches, lugging very heavy fencing, and crafting new tern decoys that will be used to attract terns to nest on Dead Neck were just a few of the many tasks they performed. They also accompanied us to several community outreach events.



Next year, Kevin will attend Coastal Carolina College in Myrtle Beach, South Carolina and Alec will go to Clarkson University in Potsdam, New York. We wish both of them a very happy and prosperous future and thank them for all their hard work, positive attitudes and good humor.

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