

# **Inter-municipal Watershed Planning and TMDL Implementation to Restore Embayment Water Quality on Cape Cod:**

## **Three Case Studies of Towns Sharing Coastal Watersheds**



**November 2008**

**Prepared for and submitted to:  
The United States Environmental Protection Agency**



Massachusetts Department of  
Environmental Protection



University of Massachusetts Dartmouth  
School of Marine Science and Technology

## **Disclaimer**

This project, “Protecting Coastal Waters through Watershed-Wide Permitting and Nutrient Trading in Three Massachusetts Estuaries,” has been funded through a Cooperative Agreement (CP98184301) utilizing Federal Funds from the Environmental Protection Agency to the Massachusetts Department of Environmental Protection. The views expressed do not necessarily reflect those of the EPA or of MassDEP. Mention of trade names, products, or services does not convey, and should not be interpreted as conveying, official EPA or MassDEP approval, endorsement, or recommendation.

Front Cover: A view of Shoestring Bay, Mashpee, Massachusetts  
Photograph by George Zoto

## Acknowledgements

This report was prepared by Dr. George Zoto of MassDEP. The work by Claire Barker, who served as project coordinator prior to her retirement in 2006 from 2004 to 2006 is gratefully acknowledged as is the work by MassDEP MEP Policy members - Glenn Haas, Dennis Dunn, Brian Dudley, Deirdre Desmond, Richard Lehan, Steve Halterman, Madelyn Morris, Arthur Screpelis, and George Zoto - who contributed greatly to the resolution of issues and those still pending during this project's tenure. Contributions by members of the Pilot Project Team and others are also acknowledged: Thomas Fudala, Planning Director, Town of Mashpee; David Mason, Board of Health and Water Quality Advisory Committee, Town of Sandwich; Dale Saad, DPW Special Projects Manager, Town of Barnstable; Carole Ridley, Coordinator of the Pleasant Bay Alliance (PBA); Bob Duncanson, PBA Technical Resource Committee (TRC) and Town of Chatham Health and Resources Department Director; Ted Keon, Town of Chatham Coastal Resources Director; George Meservey, PBA TRC and Town of Orleans Director of Community Development; Jillian Douglass, PBA Steering Committee and Town of Brewster Assistant Town Administrator; Rick York, Shellfish Constable, Town of Mashpee; Jim Hanks, Mashpee Waterways Commission; Lindsey Counsell, Three Bays Preservation Association and Town of Barnstable Growth Management Department; Edward Baker, Mashpee Environmental Coalition; Steve Solbo, Mashpee Conservation Commission; Heather Rockwell, Nantucket Sound Keeper; Evelyn Buschin Felt of the Mashpee Environmental Coalition; and Mark Weissman of the Massachusetts Division of Marine Fisheries.

The technical assistance provided by Alice Doyle of MassDEP's GIS Department is gratefully acknowledged in translating vital population and land use change data in the maps and tables prepared for this report as is the legal support provided by Deirdre Desmond of the MassDEP Office of General Counsel and Benjamin Blank, MassDEP legal intern.

A special thanks for the scientific research assistance provided by Brian Dudley of MassDEP; Dr. Brian Howes, Roland Samimy, and Dale Goehringer Toner of the University of Massachusetts –Dartmouth School for Marine Science and Technology; John Ramsey and Sean Kelley of Applied Coastal Research and Engineering, and Eduard Eichner of the Cape Cod Commission (former).

A very special thanks also goes to Andrea Langhauser and Sandy Rabb of MassDEP for their invaluable assistance in the layout and formatting of this document.

## Preface

This report presents the findings and recommendations from three Pilot Projects on Cape Cod; each addressing the watershed nitrogen load conditions affecting water quality impairment for three estuaries: Popponesset Bay (Mashpee, Barnstable, and Sandwich, MA); Three Bays (Barnstable, Sandwich, and Mashpee, MA), and Pleasant Bay (Chatham, Orleans, Brewster, and Harwich, MA). The outcome of these case studies, including what was learned, and the actions taken and/or recommended for follow-up, represent several years of dialogue among the towns sharing land use jurisdiction of the affected watersheds.

Each estuary had been designated by the Commonwealth as a nitrogen impaired estuary - in violation of the state water quality numerical standards and its designated uses (recreational fishing, swimming and boating and as habitat for sustaining eelgrass meadows as a breeding and nursery ground for important commercial marine fisheries and shellfish).

Past wastewater planning elsewhere in the US and in New England are typically focused on end of pipe point (NPDES) discharges to receiving surface waters. These case studies on Cape Cod address the fact that wastewater impacts to coastal embayments are not from typical NPDES discharges but from nonpoint source discharges to the ground from septic systems, stormwater runoff, large and small wastewater treatment plants, and use of fertilizers by the towns sharing the watershed. These case studies utilized a holistic, scientific approach by evaluating all nitrogen sources in the watershed for use in integrating a broad range of infrastructure and management solutions into existing state permitting programs.

For an electronic version, please visit: <<http://www.mass.gov/dep/water/resources/coastalr.htm>>. The digital copy includes numerous hyperlinks to websites.

**For further information about these projects, please contact:**

George A. Zoto, Ph.D.  
Bureau of Resource Protection  
Massachusetts Estuaries Project  
Massachusetts Department of Environmental Protection  
Cape Cod Office  
973 Iyannough Road  
Hyannis, MA 02601  
508-771-6055  
Email: [George.Zoto@state.ma.us](mailto:George.Zoto@state.ma.us)

MassDEP does not necessarily agree with all the recommendations expressed in this document by persons or groups that have participated in the project. Nor is MassDEP committing at this time to implement any of the recommendations made by others.