



# MassDEP NEWS

Massachusetts Department of Environmental Protection

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**CONTACT:**

Ed Coletta 617-292-5737

## **Environmental Officials Issue First-of-its-Kind Watershed Permit for Pleasant Bay Communities on Cape Cod**

### ***Permit Will Allow Communities to Better Address Nitrogen Pollution in Pleasant Bay***

BOSTON— The Massachusetts Department of Environmental Protection (MassDEP) today issued a first-of-its-kind “Watershed Permit” to the four towns sharing the Pleasant Bay watershed, Brewster, Chatham, Harwich and Orleans. The permit represents an innovative and flexible permitting approach to support Cape Cod communities’ efforts to address the critical water quality challenges stemming from nitrogen contamination of the Cape’s waterways.

“Waters off the Cape are important natural resources that impact local economies and quality-of-life in these communities,” **said Governor Charlie Baker.** “This new permitting approach reflects our commitment to improving water quality while providing citizens and officials with the flexibility and assistance to develop solutions that are most effective and affordable for their communities.”

“Through this innovative new permit, communities will be able to develop and employ a greater range of solutions and timelines to improve the Pleasant Bay watershed,” **said Lieutenant Governor Karyn Polito.** “We look forward to working with our local partners to continue to improve ecological conditions on Cape Cod and ensure the beauty and health of their natural resources for generations to come.”

With the dramatic increase in Cape development and population over past several decades, increasing amounts of nitrogen – primarily from septic systems – has been discharged into the Cape’s waterways, polluting local bays and estuaries and choking off once-abundant marine life. This contamination not only presents serious environmental impacts, but also has a serious potential economic impact on fishing, shell-fishing, tourism and property values.

“The Baker-Polito Administration has made the protection of our water resources a priority, and this new watershed permit is an exciting new approach to addressing the Cape’s water quality challenges,” **said Energy and Environmental Affairs Secretary Matthew Beaton.** “The Watershed Permit fosters local flexibility, supports adaptive management when deciding on a solution, and allows for choosing appropriate timelines for an undertaking of this size and complexity.”



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To address these challenges, in 2015 Governor Baker [certified a plan](#) developed by the Cape Cod Commission aimed at both addressing Cape Cod water quality issues, and restoring those waters to levels where they are able to meet state water quality standards. The plan, known as the “208 Plan,” emphasizes local decision-making to determine the best, most cost-effective solutions rather than those that could otherwise be imposed on communities by the state and federal governments. The plan encourages communities to share treatment systems to reduce costs, and supports innovation and natural solutions where possible. In certifying the plan, Governor Baker directed MassDEP to develop a watershed-based permitting program to provide communities flexibility in their efforts to address water quality issues in their watersheds.

“The successful collaboration between MassDEP, the Pleasant Bay communities, the Alliance, the Cape Cod Commission and EPA, represents a pioneering effort,” **said MassDEP Commissioner Martin Suuberg.** “We fully expect that this experience will benefit other Cape communities sharing watersheds, and provide them with a clear pathway for developing the most effective, efficient solutions for their communities.”

“We are thrilled to see the Cape Cod communities in the Pleasant Bay Watershed working together with the Commonwealth to reduce nitrogen pollution,” **said EPA regional administrator Alexandra Dunn.** “The time to act on Cape Cod water quality is now, and this first-of-its kind permit is a big step forward.”

The four towns sharing Pleasant Bay have, through the Pleasant Bay Alliance, been coordinating actions to address the nitrogen contamination for close to two decades. The Alliance and member towns agreed to participate in a Watershed Permit Pilot Project to evaluate the requirements and benefits of this new approach. The new permit, developed with the assistance of the U.S. Environmental Protection Agency (EPA) and the Cape Cod Commission, provides a permitting structure that transcends municipal boundaries and focuses on nitrogen management solutions across an entire watershed.

The watershed permit will:

- Provide the communities an opportunity to employ a greater range of solutions to address their water quality needs. The permit covers not just traditional wastewater systems, but also alternative approaches, such as fertilizer reduction, inlet restoration, aquaculture or permeable reactive barriers;
- Allow communities to get credit for the nitrogen reductions stemming from non-traditional approaches and/or non-traditional technologies, credit they would not receive through traditional permitting;
- Account for the need for long-term strategies – such as this 20-year permit – necessary to address wastewater issues – instead of the traditional five-year permits; and
- Employ an adaptive management approach, acknowledging the uncertainties that may be associated with some projects, and carefully monitoring performance and assessing



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progress in a transparent fashion – and if necessary, making changes in the approach that may be needed to achieve water quality goals in a timely manner.

MassDEP expects that the Pleasant Bay Watershed Permit Pilot will serve as a model for other Cape communities as they move forward to develop and implement solutions to their water quality challenges.

“Water quality on Cape Cod has been in jeopardy for years due to excess nitrogen pollution in our beautiful bays and estuaries. I want to commend the towns in the Pleasant Bay Alliance, Harwich, Orleans, Brewster and Chatham, for working with MassDEP to develop a new permitting approach for wastewater management,” **said State Senator Julian Cyr (D-Truro)**. “This flexible and innovative strategy for permitting will allow tangible options to restore water quality and, when coupled with the new revenue from the Cape and Islands Water Protection Fund, will help Cape Cod towns and watersheds have the tools they need to achieve their goals.”

“The Town of Brewster considers water quality one of our most important issues. This four-town watershed-based solution will allow us to act rapidly to restore water quality in this amazing shared estuary,” **said Chris Miller, director of the Brewster Department of Natural Resources**. “We appreciate and applaud the spirit of cooperation between the four towns and our state and federal partners.”

“The Town of Chatham is grateful that efforts to protect Pleasant Bay achieved another major milestone,” **said Chatham Town Manager Jill R. Goldsmith**. “The 30-plus years of cooperation between the Pleasant Bay communities in working to protect Pleasant Bay through ACEC Designation, the Pleasant Bay Alliance, and working with MassDEP, EPA, and the Cape Cod Commission, along with the Administration’s strong support for the Watershed Permit Pilot Project to address the nitrogen issue, reflect our strong, coordinated commitment to preserving Pleasant Bay for future generations to enjoy.”

“The Town of Harwich is pleased to join our neighbors in addressing the critical nitrogen issue confronting us all,” **said Harwich Town Administrator Christopher Clark**. “The problem is by watershed and region so the solutions should be the same. We are trying to do our part. We thank MassDEP and the Governor for the support in this endeavor.”

“Orleans is pursuing non-traditional methods of removing nitrogen, including shellfish uptake and permeable barriers near the shore,” **said Town of Orleans Director of Planning and Community Development George Meservey**. “The watershed permit allows MassDEP to account for these methods to meet our water quality goals.”



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“The historic Watershed Permit sets the stage for effectively addressing nitrogen pollution and helping safeguard the life of Pleasant Bay,” said **Pleasant Bay Alliance Coordinator Carole Ridley**. “It is an honor that we are the first in Massachusetts to receive the permit. This would not have been possible without the vision and support provided by town officials, volunteers and Town Meeting voters who recognize the value of working together to preserve our extraordinary natural resource.”

MassDEP is responsible for ensuring clean air and water, safe management and recycling of solid and hazardous wastes, timely cleanup of hazardous waste sites and spills and the preservation of wetlands and coastal resources.

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