



Department of Environmental Protection

Southeast Regional Office

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PLEASANT BAY REVISED WATERSHED PERMIT

<u>Name and Address of Permittees:</u>	(1) <u>Town of Brewster,</u> <u>2198 Main Street,</u> <u>Brewster, MA 02631</u>	(2) <u>Town of Chatham,</u> <u>549 Main Street,</u> <u>Chatham, MA 02633</u>
	(3) <u>Town of Harwich,</u> <u>732 Main Street,</u> <u>Harwich, MA 02645</u>	(4) <u>Town of Orleans,</u> <u>19 School Road,</u> <u>Orleans, MA 02653</u>
<u>Date of Application</u>	<u>December 27, 2024</u>	
<u>Watershed Permit</u>	<u>01-M1</u>	
<u>Date of Issuance</u>	<u>February 10, 2026</u>	
<u>Date of Expiration</u>	<u>February 10, 2046</u>	

I. AUTHORITY FOR ISSUANCE

Pursuant to authority granted by Chapter 21 Section 27 of the Massachusetts General Laws and Section 2A of Chapter 259 of the Acts of 2014 and the Massachusetts Watershed Permit Regulations at 314 CMR 21.00, the Massachusetts Department of Environmental Protection (“Department” or “MassDEP”) hereby issues the following Revised Watershed Permit (“Permit”) to the Towns of Brewster, Chatham, Harwich, and Orleans (collectively the “Permittees”), subject to the terms and conditions set forth below.

Brian D. Harrington
Deputy Regional Director
Bureau of Water Resources - SERO

2/10/26
Date

II. PURPOSE

- 1) The waters of Pleasant Bay are impaired by excessive nitrogen from the Pleasant Bay Watershed as demonstrated in the Massachusetts Estuaries Project (“MEP”) report titled *Linked Watershed-Embayment Model to Determine Critical Nitrogen Loading Thresholds for the Pleasant Bay System, Orleans, Chatham, Brewster and Harwich, Massachusetts*, dated May 2006 (“Pleasant Bay MEP Report”), and the associated total maximum daily load (“TMDL”) report titled, *Final Pleasant Bay System Total Maximum Loads For Total Nitrogen (Report # 96-TMDL-12, Control #244.0)*, dated May 2007 (“TMDL Report”).
- 2) The purpose of this Permit is to authorize work needed to implement the Permittees’ mitigation strategy and acknowledge progress toward implementing that strategy. The Permittees were originally issued a Watershed Permit for Pleasant Bay in 2018, prior to the promulgation of the Watershed Permit regulations at 314 CMR 21.00 and the 2023 amendments to the Title 5 regulations at 310 CMR 15.000. The 2018 permit includes the Permittees’ *Pleasant Bay Targeted Watershed Management Plan*, dated May 2018 (“TWMP”). The Permittees’ most recent annual report titled “Pleasant Bay Alliance 2024 Annual Report”, revised June 27, 2025 (“2024 Annual Report”), addresses Permittees’ revised plan and progress relative to nitrogen mitigation in the Pleasant Bay Watershed. The TWMP and the 2024 Annual Report comprise the Permittees’ Watershed Management Plan (“WMP”). This Permit includes minor modifications to the 2018 Watershed Permit that align permit conditions with the new Watershed Permit regulations and it incorporates the WMP. In accordance with 314 CMR 21.05(1), the proposed activities, schedule, and facilities set forth in the WMP shall be enforceable requirements of, and incorporated into, this Permit.

The Department has determined in Section IV.F.3 below that the revisions set forth in this Permit are minor modifications and do not qualify as significant modifications under 314 CMR 21.06(4). Pursuant to 314 CMR 21.06(4)(c) minor modifications are not subject to a request for an adjudicatory hearing under 314 CMR 21.11.

- 3) The Permittees have voluntarily agreed to work toward achieving the water quality and habitat quality restoration goals established by the Pleasant Bay MEP Report, TMDL Report, and subsequent scientific evaluations referenced in the Permittees’ Watershed Management Plan for the Pleasant Bay Watershed.
- 4) The Permittees have elected to work collaboratively in accordance with the terms of an Inter Municipal Agreement, effective May 21, 2018 (the “IMA”), and this Permit, to implement the WMP for the Pleasant Bay Watershed to achieve the water quality and habitat quality restoration goals established by the TMDL Report for Pleasant Bay.
- 5) In accordance with applicable provisions of 314 CMR 21.05, this Permit establishes performance standards and timeframes applicable to the Permittees under an adaptive