

## **CHATHAM CONCERNED TAXPAYERS**

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August 23, 2010

Chairman and Members of the Board of Selectmen  
Town of Chatham  
Town Hall  
549 Main Street  
Chatham, MA 02633

Madam and Gentlemen:

By letter of July 6, 2010 we urged the selectmen to join with other towns in requesting a peer review by the National Academy of Sciences (NAS) of the DEP/MEP science with respect to nitrogen in the Cape's bay waters, their recommendations about what towns should do and whether the recommendations would have the desired effect. At that time the Orleans-led initiative had the support of eight towns. Now there are nine in support.

Although neither the Town Manager nor the Director of Health and Environment opposed such a peer review, the Board, by a 3-2 vote, decided to follow the lead of Barnstable County and elected not to support such a peer review.

Now that the County has reversed itself and is supporting a peer review by the NAS (see the enclosed article from Saturday's Cape Cod Times, August 21, 2010), we hope the Board will reconsider its prior action and vote to join with the nine towns and the County in seeking such a NAS peer review.

We agree with what Cape Cod Commission executive director Paul Niedzwiecki said to the representative of the National Academy of Sciences Susan Roberts:

"I would welcome the National Academy of Sciences to look at the science and some (treatment) implementations. I would love to have that sort of objectivity to be completely confident that we are headed in the right direction, and if we are not, I'd like to know that too."

Taxpayers on Cape Cod want to be assured that the DEP/MEP science is good and that the recommended treatment recommendations will deliver the projected results before each town spends hundreds of millions. That includes a great number of taxpayers in Chatham as well. As Brian Braginton-Smith, executive director of the Lewis Bay Research Center, said at the meeting, "We know we have a problem. Now the question is, how do we move forward and

build consensus?" Chatham, as an environmental leader, should be part of forming that consensus.

Paraphrasing Mr. Niedzwiecki, we want to be "completely confident we're heading in the right direction and, if [we] are not, we'd like to know that, too."

Since it now appears that this peer review will take place, the suggestions for action we made in our July 6<sup>th</sup> letter bear repeating, as they are even more relevant and urgent now than they were then:

It is not prudent to force taxpayers into spending hundreds of millions of dollars, particularly in these harsh economic times, on piping all concerned watersheds without (1), being satisfied with the science behind the requirements, (2) satisfactorily testing these unproven requirements incrementally in one troublesome area first, such as Oyster Pond and (3) evaluating all alternatives that have the potential of solving the clean water challenge more completely, at far less cost and with far less community and environmental disruption than a centralized sewer system.

Rather than building the treatment plant now to its 20-year 100% capacity (which taxpayers did not learn was the Town Manager's plan until after the 2009 annual town meeting vote on treatment plant enlargement), thus forcing taxpayers to fund the entire 20-year sewerage build-out without there ever being a vote on the overall plan, the plant should only be enlarged sufficiently now to process the few hundred properties that are being added to the existing sewer system under the 2009 sewer piping funding vote. This will make possible the scientifically, environmentally and financially sensible approach detailed in the prior paragraph.

Taxpayers do not want to waste hundreds of millions of dollars on untested science and wind up with no improvement in coastal waters to show for it -- the only reason for undertaking this project at this time. Though it appears that Chatham has been unwise to proceed in such haste, there is still time to pause and do right by taxpayers. To do otherwise would be a dereliction of duty.

Our State Representative Sarah Peake is supporting the NAS peer review. In fact, I have been informed that a letter is being prepared to be signed by all four of the Cape Cod representatives to be sent to Congressman Bill Delahunt and others in support of the peer review. Other elected officials are expected to join in support.

We urge the Board of Selectmen to now vote to join with the County and the nine other Cape towns in seeking an NAS peer review. We are sure our taxpayers would also, in the words of Mr. Niedzwiecki, want to be "completely confident" before spending what could be \$400 million or more on our nitrogen problems. After all, the DEP/MEP model and what flows from it is untested, unproven and has never subjected to an objective, third party peer review. Eight to ten billion dollars of taxpayer dollars are at stake.

In light of this development, the Board might also consider rescheduling the planned sewer work for Route 28 this fall. There is no great urgency. The Town in its contracts has the right to suspend or terminate work for the convenience of the government. Businesses were hurt badly in the spring by the sudden unannounced start of construction and fear even greater financial losses this fall. One season a year would seem to be enough damage for now and spring is not as bad as fall.

Thank you for your attention to these matters which are of great importance to our taxpayers, businesses and residents.

Sincerely,

*s/ Fran Meaney*

Francis X Meaney

Enclosure



## County reverses decision on wastewater study

By **Susan Milton**

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<http://www.capecodonline.com/apps/pbcs.dll/article?AID=/20100821/NEWS/8210321/-1/NEWS11>

BARNSTABLE — First there was Orleans, the only Cape town to ask for a wastewater study by the prestigious National Academy of Sciences.

Then, this summer selectmen in eight other Cape towns joined the call for an independent review of the science behind the state limits on pollution in coastal waters. Those limits will determine how many billions of dollars Cape taxpayers will need to spend to reverse the pollution of coastal waters, mostly by septic systems.

In an about-face, county leaders now also are interested in an Academy of Sciences study as a way to answer polarizing questions that threaten to stall wastewater treatment on Cape Cod.

"We all know we have a problem," Brian Braginton-Smith, executive director of the Lewis Bay Research Center, a nonprofit group interested in the fate of that coastal bay, said yesterday.

"Now the question is, how do we move forward and build consensus?"

Yesterday, Braginton-Smith connected County Commissioner Sheila Lyons, Cape Cod Commission executive director Paul Niedzwiecki and Orleans wastewater leader Augusta McKusick of Orleans with Susan Roberts, director of the Ocean Studies Board at the National Academies based in Washington, D.C. At the end of her Martha's Vineyard vacation, Roberts came over to Barnstable to talk with Braginton-Smith about a variety of ocean issues and to meet with county officials.

For an hour, they talked about how long such studies normally take (several months to several years); how much a study would cost (\$400,000 to \$700,000); and what issues a wastewater science study could cover.

"I would welcome the National Academy of Sciences to look at the science and some (treatment) implementations," Niedzwiecki told Roberts. "I would love to have that sort of objectivity to be completely confident that we are headed in the right direction, and if we are not, I'd like to know that too."

They talked about how the \$4 billion to \$8 billion price tag for wastewater treatment Capewide has led to an endless loop of criticism about treatment methods and treatment science.

"We can bring in the experts," Roberts said. "I think, to that extent, we have a role to play. I can't solve your political issues."

The National Academy of Sciences, created by President Lincoln in 1863, uses committees of the nation's top scientists, engineers and other experts to study specific concerns referred to them by government agencies. About 80 percent of the studies are funded by the federal government.

Participants in yesterday's meeting described an Academy of Sciences study that could review the validity of the Massachusetts Estuaries Project's computer models. The models were developed by the University of Massachusetts-Dartmouth under contract with the state Department of Environmental Protection, and they were approved by the U.S. Environmental Protection Agency.

The computer models tell the towns how much nitrogen must be removed from watersheds and water bodies, and they try to predict the effect of various nutrient levels on ecosystems and the effectiveness of remedies. The state uses the models to set standards for bays and estuaries, then communities build collection and treatment systems to meet those standards.

Orleans selectmen sought an Academy of Sciences study to answer critics who believe the computer models aren't accurate. Without the study, a majority of selectmen believe they can't get the votes to pay for sewers or other wastewater facilities.

The Cape needs an objective review of how to meet the state's wastewater requirements, by watershed and across the Cape as a whole, McKusick said yesterday. "If you put in those pieces, then you build consensus," McKusick said.

Two months ago, county leaders rejected the need for such a study. In June, the Barnstable County Commission called Orleans' proposal for an Academy of Sciences study an unnecessary delaying tactic. But that was before the Orleans' proposal drew so much support.

More recently, the commission countered the Orleans proposal by offering to convene a panel of scientists to review the state computer models. Critics said the panel wouldn't be independent or do a thorough review.

"We are all frustrated because we know every day we're losing a little bit more of the Cape that we won't be able to recover," Lyons said yesterday.

