

**Minutes of the Water Quality Management Committee, October 11, 2023, 4:30pm
Falmouth Town Hall, 52 Town Hall Square, Falmouth, MA 02540**

Members present: Ken Foreman, Ed Jalowiec, Steve Rafferty, Steve Leighton, Tom Duncan.
Also present: Amy Lowell, Falmouth Wastewater Superintendent; Selectman Doug Brown;
Kim Comart, Falmouth Ponds Coalition

A recording of the meeting can be found at:

https://www.youtube.com/watch?v=Xg9s1llo8&list=PL3kvbh7I9uU_0Riu9fafcE7KNpoxRDxar

1. Update on Watershed Permit Notice of Intent application progress

Kristen Rathjen presented an update from the watershed permit working group. She presented the proposed schedules to apply for Notices of Intent (NOI) for each of Falmouth's nitrogen sensitive areas. Rathjen highlighted the proposed area groupings for watershed permits. She indicated that there needs to be a NOI submitted for each individual watershed but that when applying for watershed permits, several watersheds could be combined under one permit.

There was more detailed discussion pertaining to the specifics of why certain estuaries were grouped together and the reason for the timing and order of applications. Rathjen stated the first group of estuaries are those that are farthest along in either planning or implementation which should require the least additional effort to obtain a watershed permit and also not delay current implementation plans.

Steve Leighton moved to grant permission to present the proposed Notice of Intent slides to the Select Board subject to minor corrections and supported with written reasoning. Ken Foreman seconded. Unanimous in favor.

2. Offshore outfall progress update

Chairman Rafferty outlined his current understanding of what elements are required prior to applying for outfall permits. He stated the key evaluations that need to be completed are determine a location, calculate anticipated flows and quality of effluent, conduct hydrodynamic modelling proving the dispersion coefficient, evaluate potential impacts on the Sagamore Lens and potential impacts on the marine environment. He noted which items have been completed to date and reviewed in more detail the evaluations that still need to be completed.

Rafferty noted the first remaining element that will be completed is an evaluation of the Sagamore Lens by the USGS. He noted that if the results of the modelling indicate significant impacts to the Sagamore Lens, then the town will need to redirect focus back to land-based discharge. If the USGS evaluation indicates no significant impacts or impacts to the Sagamore Lens that can be adequately addressed with mitigation measures, then the Town will proceed with marine borings. Rafferty stated the USGS should have a report by December 2024 (with results earlier) and noted the earliest the town could start borings is in the fall of 2024.

Rafferty noted that for the additional environmental evaluations, at least one more season of eelgrass surveys will need to be completed as well as shellfish and finfish surveys.

Rafferty reviewed the list of known permitting agencies that would need to review the application. He also noted there are some potential deed restrictions at the preferred Kite Park location that might require a Chapter 97 waiver for use of parkland for underground utilities.

Rafferty concluded with his optimistic timeline for constructing an outfall after accounting for the additional evaluations needed prior to the application. He anticipates the earliest the application could be submitted is early 2026. He expects the review process to be completed by late 2027 and design occurring in 2028. He estimates a three-year construction timeframe from 2029-2032 which includes laying the pipe from the plant to the outfall site. He stated the directional drilling of the outfall itself would only take about six weeks.

Some questions about financing and alternative design proposals were discussed. Rafferty indicated that all of the items brought up are being considered as the process continues to move forward.

3. Proposed discussion with town officials and the Falmouth Pond Coalition (could become a posted WQMC meeting)

Chairman Rafferty asked Kim Comart to speak to this item.

Comart reviewed an upcoming forum being hosted by the Falmouth Ponds Coalition where individuals from the Rich Earth Institute would be speaking. Comart had proposed an option to host an open discussion the following day for town officials. After some discussion it was determined that there was not enough individual availability or interest in a separate municipal discussion.

4. Reports of members and staff

Steve Leighton commented on the USGS scope for evaluations and suggested it would make more sense to run the worst case [sewer the entire town] scenario first to see if additional models even need to be considered. Chairman Rafferty thinks that is the approach the USGS will be using.

Ed Jalowiec reported that the urine diversion working group had a productive meeting. He reported that the key ideas necessary to develop the program are coming together. They have asked MASSTC to revise the original proposal. Jalowiec also reported that the group is working on how to proceed with the state plumbing board to get approval for the fixtures and then approach the DEP with a provisional approval application.

5. Vote minutes of prior meeting (09.27.23)

Tom Duncan moved to accept the minutes as presented. Ed Jalowiec seconded. Unanimous in favor. One abstention.

6. Motion to Adjourn –6:05pm. Unanimous

Minutes submitted by Kristen Rathjen

List of Documents

- Proposed schedule for Notice of Intent applications
- Offshore outfall progress update presentation
- Sediment transport model scope
- Baseline monitoring scope for outfall evaluation
- Aquifer evaluation scope
- Marine boring scope
- Draft minutes of the 09-27-2023 WQMC meetings