

Wastewater peer review wanted

Contributed by David Still II
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The Cape Cod Selectmen and Councilors' Association, which represents 90 elected officials in 16 towns (including Nantucket), had a wide-ranging discussion Nov. 12 that while not unifying, provided insights into how the specific situation of each town colors any regional approach.

The discussion came on the heels of a written response from the Barnstable County Commissioners to the Orleans Board of Selectmen, which requested county support of a National Academy of Sciences peer review of the Massachusetts Estuaries Program findings.

The Massachusetts Estuaries Program, through the University of Massachusetts, is establishing the total maximum daily loads, or TMDLs, for nutrients entering Cape embayments. These in turn are used to develop strategies to reduce those nutrients to levels the water bodies can handle. For coastal waters, the key nutrient is nitrogen, and the primary source is wastewater from septic systems.

The county commissioners' Nov. 10 letter was an attempt to put an end date to the possibility of an NAS peer review of the data. The commissioners set July 1, 2011, as the cutoff for the scoping and funding by interested towns of any NAS study. In the meantime the county would continue to plan for its more directed symposium-type review of the MEP's work.

As reflected in comments at the Selectmen and Councilors' Association meeting, towns are looking for information to assure their residents and taxpayers that the expense to deal with wastewater issues is based on good science.

The meeting included the presentation and lengthy exchange, but the most enlightening comments came as Association President David Dunford moved to find a direction at the end of the meeting.

"Where are we and why are we here?" said Dunford, an Orleans selectman. "We all want to address this issue and we all want to do it in a responsible way."

Representatives from Harwich and Brewster cast doubts on whether their towns would support an NAS study.

"I don't think you're going to have a lot of support in Brewster for the NAS," said Ed Lewis, a selectman from that town. "There may be for the county officials."

The main presentation of the Orleans research provided the launching pad for questions.

Ed Daly, a member of the Orleans Citizens Peer Review Panel, presented his group's findings on the Massachusetts Estuaries Project's reports on Orleans embayments. His group, which after initial findings worked at the behest of the town with the Woods Hole Group, "concluded that we could not validate to the town that we agreed it was a valid scientific process," Daly told the association.

It's on the basis of those finding that Orleans and nine other towns asked the county to participate in a peer review with the NAS.

Among the many discussion points at the Nov. 12 Selectmen and Councilors' meeting, held at Ardeo at Kings Way in Yarmouth Port, was whether any outside review other than the National Academy of Sciences would be accepted. While there were no votes, the discussion toward the end of the meeting started veering away from the notion that the NAS needed to be the body to do such a review.

Still, at its Nov. 17 meeting, the Orleans board of selectmen unanimously supported moving forward to find the funds

necessary for a National Academy of Sciences Study.

Much has been made of the commissioner's letter by supporters of an NAS peer review as a change in position. The commissioner had responded in the negative to an earlier request in June.

According to its Web site, Chatham Concerned Taxpayers, www.chathamct.org, has "renewed its request that Chatham join with the other towns and the county in supporting the NAS peer review."

Conversations at last week's Cape Cod Water Protection Collaborative meeting, followed by the weekly meeting of the county commissioners, suggest more of a stepping aside to ensure buy-in on the county program should efforts for an NAS review fall short.

There also remain differences of opinion on just what was said by NAS representatives attending a Cape wastewater symposium Oct. 29. Some believe NAS stands ready to do the type of peer review on the science behind the estuaries program for Cape towns. Others, including the Water Protection Collaborative, don't see the NAS as being that specific.

The position of the county, through the commissioner and the collaborative, is that the National Academy of Sciences is not uniquely qualified to conduct a peer review of the MEP. That is also the position of the NAS.

The political question discussed by the commissioner, collaborative and again at the Nov. 12 Selectmen and Councilors' Association meeting is whether the results from any other group would be accepted.

All three county commissioners attended the meeting and sought to clarify the county's approach and intent.

Addressing the association, County Commissioner Sheila Lyons of Wellfleet said that the county is willing to seek funding for the symposium approach through grants and other sources, which she put in the \$100,000 range

"What makes us hesitant is whether you're going to support it because it's the county," Lyons said.

Harwich selectman Angelo La Mantia doesn't see his town getting behind the peer review suggested by the Orleans group.

"I don't understand why you keep on pushing a study that doesn't do, by the people you want to do it, what you want to do," La Mantia said to the presenters. "I don't think we can get on board with doing a peer review."

Sandwich Selectman Linnell Grundman, who serves on the collaborative, said that when her board discussed peer review, it was not tied to the National Academy of Sciences.

"We voted on the principle of a peer review," Grundman said.

Harwich selectman Larry Ballantine, who chairs the wastewater collaborative, looks at the political implications of a peer review and its credibility.

"If we question as much as is being questioned now... then the taxpayers are not going to have any confidence in anything that is said, and they're going to go ahead and turn it down," he said.

Barnstable Town Councilor Greg Milne said that from where his town sits, a two-year study is not in the cards.

"I don't see us even embracing this," Milne said of the NAS study. "We are already so far down the road with the [town sewer] plant that we have... This does kind of interrupt the program."

Milne also recognized the political side of the equation when it comes to the credibility of whatever work gets commissioned.

"Part of what's beating us is the reasonable doubt on the science," Milne said. For evidence, he pointed to the pounding Barnstable's sewer-related funding question took in the Nov. 2 election. He agreed that there should be a better process for the scope and selection for any review.

"We're not being pure if we just happen to be going with the train that's at the depot right now," Milne said, referring to the NAS.

The executive directors for the Cape Cod Commission and Cape Cod Water Protection Collaborative attended the

breakfast meeting, but did not speak. Commission executive director Paul Niedzwiecki left about an hour and a half in. Collaborative director Andrew Gottlieb stayed until the end, but was not called upon, nor did he offer, to speak.