



January 22, 2015

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Matthew A. Beaton, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
Alex Strysky, EEA# 15273
100 Cambridge Street, Suite 900
Boston, MA 02108

**RE: Town of Eastham Water System
Single Environmental Impact Report, EEA # 15273**

Dear Secretary Beaton:

The Association to Preserve Cape Cod (APCC) submits the following comments regarding the Single Environmental Impact Report (Single EIR) for the project known as the Town of Eastham Water System, EEA # 15273.

Founded in 1968, APCC is the largest regional non-profit environmental organization on Cape Cod. Representing more than 5,000 members, APCC's mission is to promote policies and programs that foster the preservation of the Cape's natural resources. APCC focuses its efforts on the protection of groundwater, surface water, and wetland resources, preservation of open space, the promotion of responsible, planned growth and the achievement of an environmental ethic.

In written comments submitted in response to the project's Expanded Environmental Notification Form (EENF), APCC stated that for many years, we have actively supported efforts to establish a municipal water supply in the town of Eastham. Town residents and businesses currently rely on individual private wells or non-municipal community wells for drinking water, and on-site septic systems for wastewater disposal. The close proximity between water supply wells and septic systems has resulted in increasingly degraded drinking water quality throughout the town, with a progressive increase in nitrates from septic systems being documented in Eastham private wells since 1985. Nitrates can cause human health problems, and its presence is a likely indicator of the presence of other contaminants, such as pharmaceuticals, pathogens and volatile organic compounds. In one region of town, residents must also contend with groundwater that has become contaminated from the town's closed landfill.

APCC was therefore pleased that at Eastham's 2014 spring town meeting, residents approved a plan to provide municipal water service to approximately one third of the town. The new water supply system will involve construction of two well fields, a water storage tank and approximately 45 miles of distribution piping, with the built-in ability to be expanded to the rest of the town in the future.

The Eastham Water System Single EIR provides information about the project proposal that supplements the information contained in the EENF, including the following issue areas that are of particular interest to APCC:

Potential Impacts to the Aquifer. The Single EIR reconfirms that there is expected to be no overall net change in the aquifer due to water withdrawal for the town water system, with water system demand from the current proposal being only 22% of the permitted volume. The Single EIR also offers additional details about a plan to monitor the water level of Hatches Creek to determine whether modulating pumping activities at the District G well will be necessary during low water periods. It discusses a proposal for a network of test wells and monitoring equipment that will keep track of water levels and identify potential impacts to the creek from use of the municipal well. This monitoring program is being coordinated with the state's Department of Environmental Protection (DEP) and the Cape Cod Commission. As described in the Single EIR, it appears that the monitoring plan will be sufficient in scope to identify and prevent adverse impacts to this wetland resource.

APCC is gratified to note that information provided in the Single EIR shows that sufficient separation was planned between the well depths and the underlying layer of saltwater beneath the freshwater lens so that these sites should not be compromised by anticipated sea level rise. Planning for future infrastructure should always factor in climate change preparedness, and APCC recommends that any future expansion of the Eastham water system include further assessments of areas of town where new water mains and other infrastructure may be vulnerable to sea level rise.

Potential Impacts to Rare Species. The District G area where the storage tank, well field and transmission mains are located, along with the well field and transmission main for District H, are mapped as Priority Habitat for eastern box turtle (*Terrapene Carolina*) and Common's panic-grass (*Dichanthelium ovale ssp pseudopubescens*). Both are state listed Species of Concern. To avoid a prohibited take of these species, the state's Natural Heritage and Endangered Species Program (NHESP) is requiring:

- Adoption of a Turtle Protection Plan that will protect turtles during the construction phase. This plan will include, but not be limited to, physical searches for turtles in the construction zone during the April 15 to October 15 active season.
- A botanical survey, which will be conducted for Common's panic-grass in likely habitat areas in order to assess possible alterations of the project design that will avoid and/or minimize impacts to this species.
- All work to be performed by a qualified biologist pre-approved by NHESP.

The Single EIR states that the town will continue to coordinate with NHESP to meet these requirements before construction commences. APCC is supportive of the protective measures required by NHESP, especially considering the relatively small habitat area that will be impacted by the project.

Potential Impacts to Wetland Resource Areas. The Single EIR provides additional details on the protection measures proposed for several locations where water main installation will take place within the 100 foot buffer zones of vegetative wetlands. The measures appear to be sufficient in providing assurances that wetland resources will not be adversely affected by construction-related erosion or sedimentation. Likewise, the Single EIR states that similar erosion and sediment protection measures will be implemented within the boundaries of the Inner Cape Cod Bay Area of Critical Environmental Concern (ACEC) where needed.

Controlling Invasive Species. The Single EIR states that the town will implement an invasive plant species control plan in unpaved construction areas. The purpose of the plan is to prevent the introduction and spread of invasive plant species that may occur as soils are disturbed during construction. The town and the Cape Cod Commission will continue to work together to develop an appropriate management plan.

Several of the issue areas discussed above—development of a turtle management plan, the survey for Common's panic-grass and potential plan design alterations to avoid species impact, finalization of a groundwater elevation monitoring program for Hatches Creek, and a program to manage invasive species—involve plans for which protection and/or mitigation details remain to be worked out. However, in each of these instances, the town is continuing to coordinate its efforts with the relevant permitting agencies, such as NHESP, DEP and the Cape Cod Commission.

Furthermore, APCC anticipates that the upcoming Development of Regional Impact review process through the Cape Cod Commission will satisfactorily resolve any issues that come under the jurisdiction of Cape Cod's Regional Policy Plan. Based on this, APCC is confident that all potential environmental issues associated with the project have been or will be addressed by the town of Eastham, and APCC once again commends the town for the effort it has put into developing a public water supply system.

APCC thanks the Secretary for this opportunity to provide comments.

Sincerely,



Ed DeWitt
Executive Director

cc: Cape Cod Commission
Town of Eastham