



MAR 04 8:29AM

**Marine and Fresh Water Quality Committee  
Meeting Minutes  
March 3, 2026 (Nauset Room and via Zoom and Channel 1072)**

**Attendees:** Carolyn Auty (Chair), Carol Etzold, Mary Griffin, Ed Hafner, Richard Levy, Robert Mullin.

**Regrets:** Valerie May.

**Others:** George Meservey (Town Planning Director), Tony Pearl (Finance Committee Liasson), Judy Scanlon (via Zoom).

**AGENDA**

**1. Call to Order**

Carolyn Auty called the meeting to order at 1:00 PM.

**2. Warrant Article(s) for May Town Meeting – George Meservey. *Regulatory compliance and additional Water Quality Funds Requested – see ADDENDUM***

Carolyn reviewed the six items associated with water quality programs that were presented in the addendum to the agenda (Attachment 1). Items 1 through 3 involve funding for activities related to regulatory compliance. Items 4 through 6 include requests for additional funds. Carolyn focused principally on the additional water quality funds requested in Items 4 (Cedar Pond Water Quality Phase 2) and 5 (Baker Pond Management Plan Follow-up (i.e., alum treatment)).

George Meservey provided a detailed description of each of the six water quality programs and monitoring items included in the Warrant Article. George will review the Warrant Article items with the Select Board during its March 4 meeting.

George's discussion with Committee members included the work completed to date under the Cedar Pond Management Plan (e.g., removal of cormorants, management of flashboards) and data obtained during the monitoring program (Item 2) that have shown reductions in salinity, increases in dissolved oxygen and documented citing of herring, which indicate progress toward the Management Plan goals of restoring the fish habitat and protection of the Atlantic white cedar swamp. Funds for Cedar Pond Phase 2 in Item 4 would be used to engage experts to evaluate further actions under the Management Plan including evaluation sediments and deep water quality to identify alternatives for future actions and preparation of recommendations to the Town for future actions. George cited Special Condition 9 of the DEP 2017 Superseding Order of Conditions included in the 2022 DEP Certificate of Compliance, which requires continued implementation of the Adaptive Management Plan and Monitoring Program if the flashboards are determined to be having a positive impact on the wetland resources of Cedar Pond (as indicated by the currently available data).

George described the alum treatment of Baker Pond included in Item 5 and noted that members of the Select Board had questions regarding coordination with the Town of Brewster. Rich Levy and George attended meetings with Brewster representatives prior to MFWQC's previous request for funding for an alum treatment in Fall 2025. George provided a map (Attachment 2) of Baker Pond showing that small, shallow areas of the pond where alum would not be applied are located in Brewster. Alum would be applied to sediments deep in the pond in Orleans. Consequently, funds requested in Item 5 would cover payment of costs for the alum treatment by Orleans.

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George indicated that the conservation commissions of both Orleans and Brewster would be involved in the permit process for the treatment. The request for funds has been increased from the previous request for \$70,000 to the current request for \$80,000 to make sure sufficient funds will be available.

Carolyn noted that she and other members of the MFWQC plan to attend the March 4 Select Board meeting. Committee members discussed the planned alum treatment, the relative sources of impacts to pond sediments by the two towns and the role of Orleans in leading and funding the treatment of Baker Pond. Committee members discussed the interim nature of the alum treatment and the need for further evaluation of alternatives for long-term management of wastewater from residences in the Baker Pond area.

George described the \$10,000 request in Item 6 to cover expert consultation that may be necessary regarding water quality monitoring during FY2027.

Judy Scanlon commented that, in addition to the improved conditions resulting from managing flashboards at Cedar Pond, favorable conditions for fish habitat exist near the perimeter of the pond due to low salinity and higher dissolved oxygen that result from groundwater inflow. Judy also noted the importance of obtaining current data regarding sediments following elimination of the cormorant source.

Tony Pearl noted that the Town's work to continue measures to improve water quality could continue to be advantageous in obtaining further funding from the State.

In response to a question by Mary Griffin regarding Mill Pond, George summarized the proposed measures for restoring water quality that have been presented to the Wastewater Management Advisory Committee (WMAC), which include fertilizer use restrictions, aquaculture via oyster farming, and constructing a permeable reactive barrier (PRB) on Deer Run located upgradient from the pond.

Mary moved for the MFWQC to vote regarding approval of the funding request for water quality programs and monitoring as presented by George and to submit a letter supporting the funding to the Select Board. Carol Etzold seconded. Approved 6-0-0.

### **3. Review and Approval of Committee Meeting Minutes – February 3, 2026.**

Ed Haffner motioned to approve the minutes. Rich seconded. Approved 6-0-0.

### **4. Wastewater Management Advisory Committee - Robert Mullin, WMAC Representative – Update**

Bob Mullin provided an update regarding WMAC and its most recent meeting on February 12. That meeting included follow up to the January public meeting regarding Mill Pond. WMAC has drafted a memorandum to the Select Board in support of the recommended measures for Mill Pond. A final report on the Mill Pond evaluation is currently pending. Wright Pierce presented further estimation of nitrogen removal by the proposed measures for Mill Pond and the tidal flushing process in the estuary. Wright Pierce also provided an estimated time frame of three years to achieve a Total Maximum Daily Load (TMDL) for nitrogen in the Nauset estuary watersheds at an estimated cost of \$500,000.

Amanda Converse described the Community that Cares program to WMAC.

Phase 2 sewer construction is approaching substantial completion. Phase 3 sewer construction will likely go out to bid this spring. AECOM is currently preparing the scope and cost estimate for Phase 4 planning and design.

Committee members discussed challenges in receiving responses from engineers for sewer connection services, which likely results from high demand due to sewer construction in multiple towns on the Cape.

**5. Update Herring Run**

Carolyn indicated that while Nate Sears was unable to attend this meeting to discuss the herring run project, he will likely attend the MFWQC March meeting. Rich reported that there are some new herring counters have volunteered via the Association to Preserve Cape Cod (APCC) and the appeal for volunteers in the Town's "Town Talk" post. Rich is in the process of following up with the recent volunteers. All but one of the team captains has provided Rich with feedback regarding the availability of team participants. Rich is also checking on participation by those who were alternates last year.

Rich indicated that relocation of the herring run monitoring station will also be a discussion topic with Nate during the March MFWQC meeting; however, arrival of the herring will happen relatively soon and may preclude an opportunity to relocate the station this year. The annual herring run cleanup will likely occur within the next few weeks and could provide an opportunity to view and discuss potential alternate monitoring station locations. Relocation of the monitoring station is under evaluation because access to the existing location is difficult for volunteers with limited mobility. Judy Scanlon, a herring counting team captain, commented that she is opposed to relocation of the station out of concern for protection of monitoring equipment if the station is located on a publicly accessible location vs. its current location on private property.

Advantages and the disadvantages/complexities involved with use of a camera to record and count herring were discussed. Judy indicated a preference for locating the counting station near the entrance to the run at Herring Run Road, which could be integrated into the design of the reconstructed run. Judy indicated that she will discuss the potential design of a new counting station within the reconstructed run with Nate Sears.

**6. Committee Booth: Winter Farmer's Market and OPC Family Fun Tent – Update.**

Rich has provided edits to the ponds poster compiled after the last meeting to the designer, Wendy Schofield, and APCC. Rich expects that a revised poster will be available within the next one to two weeks. The poster should be available for posting if MFWQC participates at a farmers' market in late March.

The Orleans Pond Coalition (OPC) "Fun Tent" is scheduled for June 20 at the same location on old Colony Way that was used last year. The theme of this year's event will be "creatures". While the focus of the MFWQC table presentation will be the herring run, including the herring run video, the MFWQC will have the opportunity to recruit volunteers at the tent. Rich indicated that MFWQC could be present at the farmers' market on the same date to provide the opportunity to recruit volunteers at both locations. Rich is coordinating with Valerie May and Leslie regarding use of the water quality monitoring video at the farmers' market. Judy indicated that there will not be a farmers' market in Orleans on March 28 as vendors will be attending a large farmers' market event in Harwich on that date. Judy will provide contact information for the Harwich farmers' market so that participation at the Harwich market may be explored by MFWQC.

**7. Chair's Committee Meeting of February 4, 2026 – Update.**

Carolyn reported on the February 4 Chair's Committee meeting, including participation by Amanda Converse regarding the Community that Cares program. There will likely be a Chair's meeting prior to the March 23 MFWQC meeting and updated information regarding the program

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may be available at that time. A final draft of Orleans' plans to become a Community that Cares will be submitted to the Surf Riders Association.

Amanda also discussed the Town's new branding program.

The Chairs also discussed the drought and potential for notification and enforcement of water use violations and public education. Observed water use violations should be reported to the Water Department. While helpful, the recent blizzard is unlikely to have significant impact in reducing drought conditions.

Town Meeting Warrant Articles and Phase 2 sewer connections were discussed at the Chair's Committee meeting.

The next Chair's Committee meeting is scheduled for next week.

### **8. Announcements**

Mary announced that the dates for Pleasant Bay and Nauset estuary sampling are July 16, August 3 and 17, and September 1 and 15. The timeframe for Pleasant Bay sampling is between 7:30 and 9:00 AM. Nauset estuary sampling times have not been determined but will be similar to Pleasant Bay sampling times. The schedule for training in Chatham is also to be determined. Updated information should be available for the March 23 MFWQC meeting.

Carolyn indicated that the PALs sampling program, which will begin in April, will be discussed at the MFWQC March 23 meeting. Some additional volunteers will be sought for both the PALS and estuary sampling programs as well as for volunteer herring counters.

Judy will provide sampling dates to SMAST.

### **9. Public Comment**

Scott Zenke of Doane Road, a member of the Shellfish and Waterways Improvement Committee and a herring counter, commented that use of video in herring counting would preclude counting eels. Scott's principal comment concerned the construction of accessory dwelling units (ADUs) at properties that are not serviced by sewer and the increased nitrogen and phosphorous loading that would occur via additional septic loads with higher density populations resulting from construction of ADUs in sensitive areas. The Shellfish and Waterways Improvement Committee has discussed this issue, but considered the ADU septic loading issue more under the purview of MFWQC.

Bob suggested that Scott bring the ADU issue to the attention of WMAC at its next meeting scheduled for 10:00 AM on Thursday March 12.

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10. Adjourn.

Bob motioned to adjourn. Mary seconded. Approved 6-0-0.

Meeting adjourned at 2:13 PM.

**Attachments:**

1. AGENDA ADDENDUM - Fund Water Quality Programs and Monitoring
2. Baker Pond Map

**Future MFWQC Meeting Dates: 2026 - March 23; April 27; May 27 (Wednesday); June 22; July 27; August 24; September 28; October 26; November 23; December 21.**

**Submitted by Robert Mullin, Clerk Submitted Date: March 23, 2026.**

**ATTACHMENT 1**

**ADDENDUM**

**Fund Water Quality Programs and Monitoring** \$215,000

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of \$215,000 or any other sum, for water quality monitoring, Cedar Pond improvements, and for an alum treatment in Baker Pond, or to take any other action relative thereto. (Select Board)

**Water Quality Funds for Regulatory Compliance:**

1. Lonnie's Pond Monitoring

Monitoring of oyster deployment, weigh-out and annual report, and revisions to QAPP to meet permit requirements of Pleasant Bay Watershed Permit and document nitrogen removal through aquaculture.

Funding Request: \$24,000

2. Cedar Pond Monitoring

Required water quality monitoring under the MADEP Superseding Order of Conditions. Adaptive management of pond outlet has demonstrated progress toward the Town's water quality goal for the pond.

Funding Request: \$41,000

3. Namskaket Marsh Monitoring

Annual monitoring of Namskaket Marsh as required under the Town's Groundwater Discharge Permit.

Funding Request: \$30,000

**Additional Water Quality Funds Requested:**

4. Cedar Pond Water Quality, Phase 2

Since the Cedar Pond Management Plan was implemented under a DEP Superseding Order in 2018, there have been notable water quality improvements. Salinity has been lowered, which resulted in anadromous fish documented swimming upstream to spawn. Lower salinity protects the adjacent Atlantic White Cedar Swamp. Shallow dissolved oxygen levels now routinely meet MassDEP regulatory standards and nutrients exported to Rock Harbor have returned to 2002/2003 levels. While shallow water column indicators have improved, deep conditions continue to be poor with regular anoxia and release of nutrients from the sediments that threaten the measured long-term improvements. Management of the sediments is a next step in the management plan goals.

The requested funding will be used to engage qualified environmental professionals to review available deep sediment and water quality data, assist the Town to evaluate options to remove and/or sequester pond sediments, and recommend a preferred strategy.

Funding Request: \$30,000

5. Baker Pond Management Plan Follow-up

The Baker Pond Management Plan was completed in 2022 with a recommended strategy of sewerage within the watershed. Review of 2019 and historical water quality data showed that Baker Pond generally

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had acceptable shallow water quality, but deep conditions were impaired and those impairments were gradually worsening shallow conditions. The pond watershed is not part of current Town sewerage plans and will require additional consideration of sewerage design factors and costs. In order to slow the impact of deep conditions, the MFWQC is seeking funding for a pre-emptive alum treatment as a short-term management step to provide some additional time to consider wastewater treatment options.

Funding Request: \$80,000

6. Water Quality Consultation funding. \$10,000.

# Baker Pond - Orleans and Brewster

