

**Environmental Management Commission
 Waquoit Bay National Estuarine Research Reserve
 East Falmouth, Massachusetts
 December 3, 2003
 5:00 p.m.**

Meeting Minutes

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Agenda Item #1. Review of September 10, 2003 Meeting Minutes

Environmental Management Commission (EMC) Chairman David M. Peters, commissioner of the Massachusetts Department of Fish and Game (DFG) convened the meeting at 5:10 p.m. with general comments. Minutes from the September 10, 2003 EMC meeting were reviewed, and Commissioner Robert Golledge from the Massachusetts Department of Environmental Protection (DEP) made a motion to approve the minutes and Commissioner Kathy Abbott from the Massachusetts Department of Conservation and Recreation (DCR) seconded the motion, and the minutes were approved unanimously, as written.

Agenda Item #2. Chairman's Comments

Commissioner Peters introduced Commissioner Abbot, who was recently appointed commissioner of DCR and is the newest member of the EMC. Commissioner Peters then thanked former Commissioner Peter Webber from the DCR for his excellent work setting up the EMC, and for his expertise. He also welcomed Commissioner Golledge, who attended his first EMC meeting on September 10, 2003. Commissioner Peters noted that he is looking forward to working with both new members of the EMC.

Agenda Item #3. Members' Comments

Commissioner Abbott gave a brief summary of her background and commented that she is pleased to be a member of the EMC. She said that she received a full briefing from Mr. Mark Begley, the environmental officer for the EMC.

Commissioner Golledge stated that he had the opportunity today to tour the Massachusetts Military Reservation (MMR). Commissioner Golledge commented that he is very pleased with the efforts and continued progress to manage the facility on the MMR and cleanup the environment.

Agenda Item #4. Executive Director/Environmental Officer's Report

Mr. Begley stated that Mr. Dennis LeBlanc from the U.S. Geological Survey will give an overview on groundwater resources in the Reserve relative to the comments received on the 2003 Draft *State of the Reservation Report* on water-related issues further into the meeting.

Mr. Begley noted that an environmental performance standards (EPSs) workshop is scheduled tentatively for February 28, 2004 at a location to be determined. The workshop will focus on the EPSs as they relate to water issues. A discussion on erosion issues may be included also.

Mr. Begley stated that there is a Community Advisory Council (CAC) and Scientific Advisory Council (SAC) joint meeting scheduled for Tuesday, December 9, at the Bourne High School Library. The main topic of discussion will be the 2003 Draft *State of the Reservation Report*. He noted that a lot of progress has been made on the draft report.

Mr. Begley reported that 102 deer were harvested on base over several days of hunting season, and 656 hunters utilized the base during two days of hunting season. He said without proper population control, the deer present the potential for serious habitat and vegetation damage.

Agenda Item #5. Community Advisory Council (CAC) Report

Commissioner Peters stated that the EMC appreciates the CAC's effort and participation as an advisory council, public confidence and input. He feels that the council's structure has worked well, and he would like to assure that the EMC is available to help address concerns. Community concerns should be channeled through the councils to Mr. Begley for the EMC. Commissioner Peters assured that there will be proper feedback to the community, a portion of which will be reflected in the *State of the Reservation Report*.

Ms. Virginia Valiela, CAC chair, stated that the *Annual State of the Reservation Report* process is iterative. She feels that the 2003 *State of the Reservation Report* has improved over the 2002 *State of the Reservation Report*, although it still “has some distance to go” concerning water supply and quality and evaluating the EPSs in “a meaningful way.” She said that the Cape Cod Commission reviewed the EPSs section of the preliminary draft report. Ms. Valiela noted that the E&RC obviously incorporated into the final draft many of the 214 comments received on the preliminary draft; she noted the process has been a flexible, progressive effort.

Ms. Valiela said that the best way to bring the report out to the community is by visiting the local boards of selectmen and giving them an overview of the report. Selectmen’s meetings are televised and potentially would reach a large audience. Ms. Valiela noted that report should be presented to the public in a summary form. She further noted that it is important that the public know the progress made on the base and that training and environmental needs are balanced.

Ms. Valiela stated that two selectmen members of the CAC have resigned in recent months and that she is unaware whether letters have been sent to the Governor regarding replacements. Commissioner Peters replied that the EMC will follow up on the CAC replacements. Mr. Begley stated Brig. Gen. Donald Quenneville is also resigning from the CAC, and Col. Paul Worcester is his suggested replacement. Commissioner Peters requested that Mr. Begley and Ms. Valiela prepare a list with suggested CAC member replacements.

COL Materia suggested that future appointments to the CAC be done by position, rather than by name. Commissioner Golledge asked if this would require a change to *Chapter 47 of the Acts of 2002*. Commissioner Peters replied that it could likely be done administratively. Commissioner Abbott suggested it may be possible that the EMC’s bylaws could be amended to regulate how members of the advisory committees are appointed. Commissioner Peters commented that while the legislation would override the EMC’s bylaws, there is room for improving the appointment process. Commissioner Peters asked that Ms. Valiela and Mr. Begley work together with a legislator, if appropriate, to rectify the issue of representation.

Ms. Valiela stated that over a year ago, there was apprehension regarding the transition from the Joint Program Office to the E&RC. She said that the E&RC has been responsive and visible, and the quality of the work has been very good.

Commissioner Peters asked Ms. Valiela when bringing the annual report in front of the boards of selectmen, should the report be presented in a summary form for the “man in the street.” He also asked if she feels the *State of the Reservation Report* should be opened to public comment.

Ms. Valiela replied that the *State of the Reservation Report’s* visibility is limited to some degree. She said that although the public often doesn’t attend the CAC meetings, the CAC members represent the various constituencies on Cape Cod. Ms. Valiela said that it is important for the public to know that issues surrounding the base’s future have been resolved, and there is ongoing oversight of activities on the base, and as the oversight indicates that not only has there been no degradation of the environment, the environment has improved. She recommended a public meeting be held by the CAC to begin to get that message out.

Commissioner Peters suggested that Mr. Begley provide the boards of selectmen with an update on the EMC with an executive summary of the EPSs. He said that he feels that the transparency issue is large. Mr. Begley commented that where the boards of selectmen meetings are televised on cable, there would be a lot of exposure and feedback. He also suggested additional programs for the community, as well as participating in the selectmen meetings.

Ms. Lynda Wadsworth, public outreach manager for the E&RC, stated that there is an annual report community involvement plan and last year an executive summary of the annual report was inserted into 47,000 local newspapers. She said that for the 2003 annual report, an ad will run in the four local

Enterprises and the Cape Cod Times summarizing the report's content; the E&RC will also work with local radio stations for public service announcements. She also said that the E&RC would like to work with Mr. Begley, the CAC, and SAC on the verbiage for the summary ad. Ms. Wadsworth noted that at that time the dates of the boards of selectmen meetings could also be published in the ad. There will be an entire E&RC web site page dedicated to the annual report with informational links available also, she said.

Commissioner Peters said he feels that the community involvement plan for the annual report will address the specifics of the report, but it is important to have a global view of the EMC, and how it functions with the SAC and CAC. It is important for the public to see that the EMC, CAC, and SAC are the umbrella operation to channel information and that the military agenda and EPSs are extremely important.

Ms. Crocker stated that at the last CAC meeting, she suggested a brief workshop for community awareness. She feels that there should be a team effort for the informational workshops.

Agenda Item #6. Scientific Advisory Council (SAC) Report

Mr. Russell Cookingham, SAC chair, reported that SAC workshops were held in April and August 2003. He then reported that an SAC meeting was held in October 2003 at the Waquoit Bay National Estuarine Research Reserve (WBNERR) to review the 2003 Preliminary Draft *State of the Reservation Report*. Mr. Cookingham noted that SAC members expressed concerns about groundwater issues, pesticide use, and groundwater quality. He thanked the SAC members for attending the SAC meetings and the E&RC for all their work and effort on the draft report.

Commissioner Peters asked Mr. Cookingham and the SAC members if they are comfortable that their issues have been addressed in the final draft report or are moving in the right direction. Mr. Cookingham said that the SAC feels that the EPSs as written now are not adequate to cover their concerns, and that the SAC will meet to discuss revising the EPSs in February 2004. He also said that the biggest concern is managing the water in the Reserve and surrounding towns.

Commissioner Peters stated that he would like Mr. Begley continue to closely follow the SAC's concerns and that the water issue is the greatest concern. He said that Dr. Mike Ciaranca, natural resources manager, is doing a great job and they are comfortable on those issues, but the water issue will be followed. Commissioner Peters said that the work that the SAC is doing will be channeled through Mr. Begley and the military. He said that the EMC appreciates the work that the SAC has done and that they are moving forward on the water issues and EPSs.

Mr. Cookingham stated that the SAC feels that there is a lack of quantitative evaluation of the different programs. Commissioner Peters stated that he would like the SAC to formalize its concerns through Mr. Begley. He said it seems that we are on the right track.

Commissioner Peters stated that at the last Massachusetts Division of Fisheries and Wildlife Board Meeting, he suggested that Mr. Begley give the board an update on the MMR's environmental status and that the other commissioners' staff might also be interested in an update. Commissioner Peters noted that the SAC is doing a great job.

Agenda Item #7. Massachusetts National Guard Comments

COL Joseph Materia, director for the E&RC, stated that the E&RC is glad to be working with Mr. Begley. COL Materia discussed the range initiative; which will start with Charlie Range in January 2004. The goal of the initiative is to upgrade all the ranges on the MMR into state-of-art ranges, environmentally as well as operationally.

COL Materia stated that recently the Massachusetts National Guard Adjutant General, Major General George Keefe, and members of the Army and Air National Guard met with the Board of Directors in Washington D.C. to review and provide guidance to the programs on the MMR. The feedback received

from the undersecretary of the Army and Air Force was that the MMR is truly a success story and all the work that has been done seems to be working very well.

COL Materia stated that the MMR is a model and there is optimism that progress has been made over the past few years and there is a need to speak to other groups. He said that there is a commitment to the MMR and that is the most important feedback. COL Materia noted that there was recently funding awarded to the Massachusetts National Guard, in the amount of 13 million, targeted for fire station projects on the base and the cantonment area.

COL Materia stated that recently Camp Edward's Commander, COL Bernard Flynn, Congressman William Delahunt, and MG Keefe presented Minuteman Awards to Ms. Valiela and former Bourne selectman Mr. Haydon Coggeshall. He said the awards are given out by the Army National Guard Bureau in recognition of outstanding environmental achievement. He also said that both award winners have been involved with the groundwater contamination and cleanup efforts at the MMR since the early 1980s.

Commissioner Peters congratulated the recipients of the awards. He said that he also appreciates Mr. Begley's technical expertise and responsiveness to concerns. He also said that he is impressed by the role that the Army National Guard has played in Iraq and noted the importance of military training and the balance between the military training and the protection of the environment and resources. COL Materia reiterated that the system is working.

Agenda Item #8. Overview of Groundwater Resources in the Reserve

Mr. Denis LeBlanc from the U.S. Geological Survey (USGS) provided an overview of the hydrology of the aquifer on Western Cape Cod and its geological framework. He described what happens to the rainfall on Cape Cod, which is the sole source of water for the aquifer. He noted that approximately 26 inches of water per square mile per year recharges the aquifer, which averages to about one and a quarter million gallons a day of recharge for every square mile on Cape Cod. He said that the Upper Cape Cod water reserve consists of 14,000 acres, which contributes approximately 15 billion gallons a year of recharge. Mr. LeBlanc noted that the USGS web site for reference is <http://ma.water.usgs.gov>.

Commissioner Peters asked Mr. LeBlanc if he is optimistic that there is enough water supply and how does it relate to the contamination. Mr. LeBlanc replied that regarding the potential for water shortage, the reality is that there is no shortage with 42 inches of rainfall a year, but the concern is living on top of the reservoir. He said that the major issue is one of water quality and the extent to which you can manage the activities and not gradually degrade your aquifer. He said in conclusion, there will not be a water shortage, but it may require some choices to protect as much of the recharge.

Mr. LeBlanc stated that there is a notion that there is a reservoir that can be pumped and shipped around, but the whole system is in hydraulic balance. He said that there is a lot of water available, but usage must be coordinated. In relation to the past contamination of the drinking water, the activities of the military now are generally benign, he noted.

Commissioner Peters requested an update of the cleanup process on the MMR at the spring EMC meeting. Mr. Begley replied that a presentation would be beneficial as it relates to the potential impacts within the Reserve.

Agenda Item #9. Draft 2003 Annual State of the Reservation Report

Mr. Bill Sullivan, operations manager for the E&RC, gave a brief summary of the background of the *Annual State of the Reservation Report* and an overview of focus of the report. He also discussed the annual report process, and he said that two drafts of the 2003 *State of the Reservation Report* were released at the end of August and November. He said that the EMC, SAC, and CAC are asked to provide comments on the final draft by December 16. Mr. Sullivan noted that the final report would be published by the end of January 2004.

Mr. Sullivan briefly described the information that was added to the final 2003 Draft *State of the Reservation Report* including summer field work, military and remediation activities, future projects for the natural and cultural resources programs, mitigation activities, and a section on groundwater. In addition, the 102nd Fighter Wing's water quality report for 2002 and the groundwater protection policy will be included in the final report. Mr. Sullivan noted that some information is still pending, which will be included in the final report.

Commissioner Peters stated that the transparency of the annual report process and the input is important. He said it is important for people to have access to the process. He also said that the commissioners have all asked how is the input into the process and do you think that the *State of the Reservation Report* adequately reflects the State of the Reservation and he would like the response on record.

Mr. Cookingham stated that he is in the process of reviewing the final draft report. Ms. Valiela stated that based on her review, she feels that comments have been addressed. She asked if a water quality report could be added to the report for the Upper Cape Water Cooperative water supply. Mr. Dan Mahoney, CAC member and Upper Cape Water Cooperative board member, replied that it is not a requirement, because the towns supply their own individual annual water quality reports.

Commissioner Peters asked Mr. Begley if he is satisfied with the process as it relates to the *State of the Reservation Report*. Mr. Begley replied that he feels that the process has been great regarding the level of effort and interest from both the SAC and CAC members, the detailed comments, and method of compliance and explanation for the EPSs in the draft report. He said that he has reviewed the final draft and feels that it is responsive to the main issue of water. He noted that additional information will be added as an appendix to the report. Mr. Begley recommended future workshops to discuss the EPSs and compliance issues. He said that he is looking forward to seeing continued progress in the next *State of the Reservation Report*.

Commissioner Peters stated that he appreciates all the work that the CAC and SAC have done on the annual report. He requested that the iterative process be formally tracked over the years in terms of the changes and the responsiveness through the EMC and advisory councils. Mr. Begley stated that it would be important to add a section, as in last year's report, on comments received, but are yet unaddressed. Mr. Sullivan replied he has copies available of the summary of items that were changed in sections of the report.

Commissioner Peters stated that he would like to see a tracking method of how the information is analyzed on the annual reports. He would also like to be sure that the EPSs are not just an informational tool for scientists, but also are accessible to the layperson.

Commissioner Peters stated that at the next EMC meeting he will be asking if the EPSs have been evaluated. He said that Mr. Sullivan has done an excellent job coordinating the 2003 *State of the Reservation Report*.

Mr. Alan Cowles, E&RC deputy director, stated that the section regarding comments received versus comments addressed should be maintained as a separate document, because it is a status report. Commissioner Peters stated that it is important for the information to be transparent; he would like a permanent record of the comments coordinated with Mr. Begley. He said that formal tracking of the changes in the report would be beneficial.

Ms. Crocker asked if the groundwater map will include perchlorate detections. She suggested that the perchlorate information not be included, because a level of standard has not been determined yet. Commissioner Golledge stated that the perchlorate standard issue is outside of the report. Mr. Begley stated that the map will indicate levels of detection only. Commissioner Golledge stated that DEP is working on setting a standard within the next twelve to eighteen months under the Safe Drinking Water Act (SDWA) and within the next six to nine months under the Massachusetts Contingency Plan 21-E Program.

Ms. Margo Fenn, CAC member, stated that after reviewing the final draft report that she was very pleased with the response to the preliminary draft comments. She said that as the EPSs are reevaluated, it will be easier to measure some of these items.

Mr. Cole suggested that the conclusions in the report be described in more detail. Commissioner Peters agreed an executive summary of the report would be helpful to the non-scientist. He feels that if everyone agrees that we are moving in the same direction, we can move forward. He said that he appreciates the work that everyone has done on the report.

Commissioner Golledge stated that the goal of transparency and risk communication is difficult and challenging. In the effort to be transparent, there is a fear that people are going to use the information in different ways, he said. Commissioner Golledge suggested in an effort to be transparent that avenues of communications remain open.

Agenda Item #10. Other Business

Ms. Valiela stated that regarding Mr. LeBlanc's presentation that the Upper Cape aquifer is in hydrological balance, there are questions surrounding the issues of extraction, cleaning and reinjection of water, because the bodies of water are so large. Commissioner Peters stated that he agrees that the concerns will need to be addressed.

Agenda Item #11. Public Comment

There was no public comment.

Commissioner Peters thanked State Representative Eric Turkington for attending the EMC meeting. Representative Turkington stated that he is pleased that everyone is working together. Commissioner Peters stated that he would like to extend an invitation to the members of the legislature to attend a meeting, or to submit any questions or concerns to the EMC. Commissioner Peters also said he appreciates everyone's support.

Agenda Item #12. Schedule Next Meeting

The next EMC meeting is scheduled for March 3, 2004, at 5:00 p.m., at the Waquoit Bay National Estuarine Research Reserve.

Agenda Item #13. Adjourn

The meeting adjourned at 7:25 p.m.