



Freshwater Initiative  
**Monomoy Lens Stakeholder Group**

## Meeting 3 Summary: June 4, 2024

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The third Monomoy Lens Stakeholder Group meeting for the Freshwater Initiative was held on June 4, 2024. The purpose of the meeting was to provide an update on the Freshwater Initiative, share tools and resources created to date, present an overview of draft key recommendations of the Freshwater Initiative and solicit feedback from meeting attendees on the recommendations and strategies for implementation.

During introductions, participants were asked to share one point they wanted to make sure was heard through this stakeholder process. Participants said the meetings were very informative, to be sure that all information is science-based, fact-based, and appropriate, and shared the formation of the Harwich Ponds Coalition.

Following introductions, Cape Cod Commission (Commission) staff provided an update on the Freshwater Initiative and reviewed tools and resources currently available for use, such as town and county-wide pond profiles, the pond restoration projects viewer, the ponds atlas viewer, and a suite of draft pond management strategies fact sheets.

Commission staff also reviewed work currently in progress, such as the development of a pond water quality data portal, the regional pond monitoring program, development of pond shore buffer guidelines, and the creation of a communications framework.

One attendee asked what the process will be for updating the ponds atlas viewer. Commission staff noted some updates would be captured through updated datasets, but users could send updates to Commission staff as well.

Another attendee asked if the pond water quality data portal would allow users to perform some analyses or if those would be done by the Commission. Commission staff said the Commission and partners with the Woods Hole Oceanographic Institution are performing some region-wide analyses, but the pond water quality data portal will allow users to choose analyses that could be pond specific.

## PRIORITIZATION FRAMEWORK

Revisiting discussion from Meeting 2 on interest in a prioritization framework and criteria for prioritizing ponds for management, Commission staff asked participants if such a framework would be useful.

Overall, attendees said a prioritization framework would be useful. One attendee referenced the Priority Ponds Project done by the Compact of Cape Cod Conservation Trusts, and suggested including criteria for things such as coastal plain ponds and those with herring runs.

Attendees expressed that the process of local pond prioritization should not slow down the process of management implementation, suggesting that the prioritization process should be able to be done quickly and should not impede efforts to move forward implementing projects.

## DRAFT RECOMMENDATIONS

Next, Commission staff reviewed twelve (12) draft priority recommendations developed from feedback received throughout the stakeholder process, noting that there may be other recommendations that come out of the Freshwater Initiative, but those presented rose to the top as priorities that could be implemented in the near-term or are foundational to furthering other work. The draft recommendations are grouped into six (6) categories:

- Funding Sources and Mechanisms
- Municipal Recommendations
- Support and Technical Assistance
- Regulatory Reform
- Information (Monitoring, Data)
- Education and Communications

Following review, attendees were invited to ask questions and provide comments on the material presented.

Attendees discussed pond buffer guidelines and expressed interest in having information on how towns approach work in these areas, having best practices for work in these areas, and information on the benefits of increasing the pond buffer from 100-feet to 150-feet, as an example. Attendees stated a need for this information to be accessible to those performing work in these areas, such as landscapers, and some suggested such a guidance document should be adopted by towns as required practices.

Attendees also noted the need to consider the biomass of the buffer as a way to better review proposed vegetated buffers. Rather than just looking at one plant versus another, it was suggested that the biomass of the undeveloped shore should be considered by comparing unvegetated,

vegetated, and naturally undisturbed vegetated buffers. Participants said Conservation Commissions need support in this area, as applications are submitted that include “vegetated buffers” but really the project is proposing a garden or mulch with limited ecological value. Attendees agreed that guidance is helpful to engineers as well, especially when many towns have similar guidance and standards, and an engineer or consultant knows what to expect from the regulations.

One attendee noted new Department of Environmental Protection (DEP) regulations allowing for a 1-year permit for experimental study and asked if this could be explored further.

Another suggested using DEP’s 303(d) criteria, which may be considered when evaluating 604(b) water quality management planning grants, instead of creating new pond prioritization criteria. Commission staff noted that MassDEP’s Total Maximum Daily Load criteria are one set of criteria staff has referenced and acknowledged the need to consider biotic indicators as well.

Comments related to regulatory reform to streamline permitting and incentivize restoration included the need for clarity on what would be ‘de minimus’ criteria that could enable staff review of a proposed project, and the need for that to be consistent across towns. There was discussion on considering the interests of the Wetlands Protection Act when considering town staff administrative review of project proposals, and it was said that DEP does not like administrative review and prefers to see permits or Requests for Determination of Applicability. It was stated there will be a need for common language and understanding if such a recommendation is to be implemented region wide. Attendees suggested other mechanisms, such as waiving local review fees, which could be helpful to incentivize restoration. Overall, attendees expressed the need to be thoughtful in how this recommendation could be implemented and said unintended consequences, like the loss of local option to perform administrative reviews, should be avoided.

Related to monitoring, one participant commented on the lack of discussion of the PALS program and those volunteer efforts as a resource, and a desire to not see monitoring efforts duplicated. Commission staff explained how the Regional Monitoring Program was designed to complement other monitoring efforts, by including significant town input and considerations for existing PALS monitoring locations while the program was being set up. Commission staff also clarified how data products would utilize PALS, regional monitoring, and other data sources together where possible.

It was stated that Commission staff should consult with the University of Massachusetts Dartmouth School for Marine Science and Technology (SMAST) program as they fund the PALS program, and without that funding towns may not be able to take on those program costs.

Lastly, it was suggested to consider the citizen scientist approach to data collection, with one attendee noting that resource is already in place.

## RECOMMENDATIONS FACILITATED DISCUSSION

Following initial questions on the draft recommendations presented, attendees were asked if there is anything missing, or are there other key recommendations they think should be included.

Participants discussed the communications framework, and the need to include messaging at the regional level. Attendees also suggested expanding the recommendation to include a region-wide communications campaign. They suggested using positive messaging, “no gloom and doom,” and noted that Conservation Commissions do allow for and permit work that limits harm to resource areas. Attendees agreed that local permitting and Conservation Commissions should not be seen as an enemy.

Attendees suggested receiving messages from pond associations (neighbors versus regulators) could be very impactful. However, participants also noted that it can be difficult for neighbors to step forward and speak up about best practices as well.

One attendee suggested choosing a small number of strategies to focus on and drive home the message on why they are important. Attendees suggested making people feel like they are part of the solution, not the problem, to use simple language and messaging, and to create messages for different groups.

One attendee noted that some ponds do not have delineated watersheds and expressed the importance of watershed delineations for most, if not all, ponds.

One attendee suggested the acquisition of land adjacent to ponds to preserve parcels as a possible recommendation.

One attendee suggested a recommendation against off-site mitigation, saying the off-site location does not always meet the intent of the need for mitigation.

Attendees discussed interest in the impacts of gas-powered machinery and boats and the possibility of limiting engine size or horsepower, setting speed limits, and restricting the use of gas-powered engines at all.

Lastly, one attendee noted the need for guidelines for pond shore structures such as docks and walkways.

Attendees were also asked which recommendations they think will be most impactful from their perspective.

Attendees said education focused on why the protection of ponds is important, what the effects of management are, and the benefits these actions bring.

Attendees also said data collection is important. One attendee asked if pond watersheds will be delineated. Commission staff said yes, this is a draft recommendation of the Initiative and some of that work is in progress.

Model bylaws and streamlined permitting were also noted as impactful. One attendee suggested creating a 1-2 page guidelines checklist instead of changing regulations, noting the time it takes to change regulations and the political will to do so can be onerous.

To conclude the meeting, Commission staff thanked all stakeholders for their participation and noted that while these meetings have come to an end there will be opportunities to engage with this work further before wrapping up efforts of the Freshwater Initiative by the end of the year.

## Meeting 3 Agenda

1. Welcome and Introductions
2. Freshwater Initiative Update: Cape Cod Commission (Commission) staff will provide an update on the Freshwater Initiative.
3. Tools and Resources: Commission staff will provide an overview of tools and resources that will be available to support preservation, restoration, and management of freshwater ponds.
4. Freshwater Initiative Recommendations: Commission staff will present an overview of draft key recommendations of the Freshwater Initiative and solicit feedback from meeting attendees on the recommendations and strategies for implementation.
5. Next Steps: Commission staff will discuss next steps for participants and the Freshwater Initiative.

## Meeting 3 Participants

### Stakeholder Participants

- Amy Usowski, Town of Harwich
- Greg Berman, Town of Chatham
- Chris Miller, Town of Brewster
- George Meservey, Town of Orleans
- Michael Lach, Harwich Conservation Trust
- Judith Bruce, Orleans Pond Coalition
- Kim Pearson, Town of Brewster
- Ann Frechette, Great Sand Lakes Association

- Amy Von Hone, Town of Brewster
- Scott Norum, Hinckleys Pond Association
- Carole Ridley, Pleasant Bay Alliance
- Susan Bridges, Brewster Ponds Coalition
- John Ketchum, Harwich Conservation Commission, Watershed Association of South Harwich
- Dave Callaghan, Great Sand Lakes Association
- Donna Kalinick, Town of Brewster
- John Keith, Brewster Ponds Coalition

#### Cape Cod Commission Staff Present

- Erin Perry, Deputy Director
- Tim Pasakarnis, Water Resources Analyst
- Tara Nye Lewis, Water Resources Analyst
- Michele White, Special Projects Coordinator

#### Partners in the Regional Pond Monitoring Program

- Kristin Andres, Association to Preserve Cape Cod