

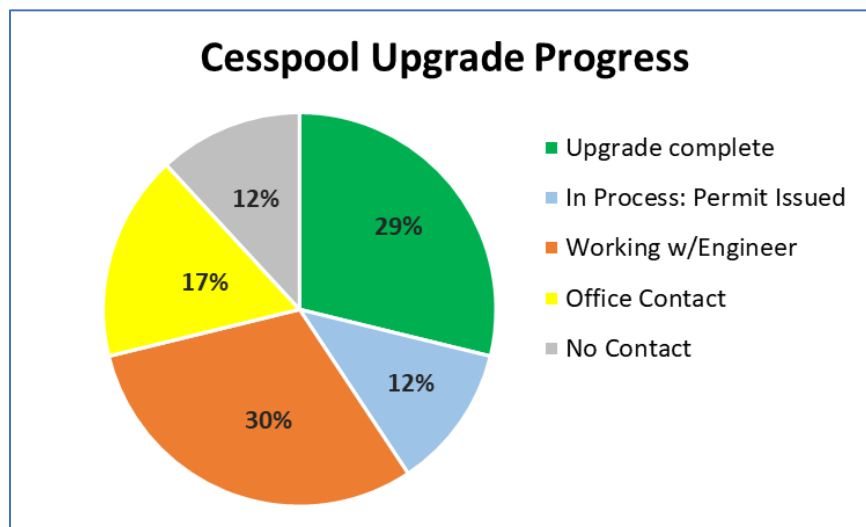


**TOWN OF TRURO**  
**HEALTH & CONSERVATION DEPARTMENT**  
24 Town Hall Road, Truro 02666  
508-349-7004 x119

Memo to: Truro Board of Health  
From: Emily Beebe, Truro Health & Conservation Agent  
Date: July 18, 2023  
Re: **Water Resources Update July 2023**

**Regarding cesspool upgrades to Title 5**

To date, 41% of the properties with cesspools have either completed the upgrade process or have permits issued to do so. 30% are working with engineers and 17% have contacted our office with questions but may not yet be under contract with an Engineer/designer. Our challenge remains making direct contact with the 21 homeowners who we have not yet heard from, so that we may assist them in their efforts to comply. To date, we have verified that none of the 21 properties are registered rental properties, and 4 of them are non-habitable/abandoned.



**Regarding Administrative Consent Orders (ACOs)** The Board of Health regulations have been revised to incorporate the use of ACOs and are now in effect. The ACO may be used to form legal agreements between the Board of Health and property owners regarding the timing of upgrades or connection to sewer facilities.

ACOs will be processed as variance requests to title 5 as part of the CWMP process.

We anticipate bringing draft ACOs to the Board of Health this August. We have several property owners on Beach Point that we have been in discussions with about the process.

**Regarding stormwater management-** Stormwater that is directed into or overflows into wetland resource areas contributes significant amounts of nutrients and pathogens. We are working to address how stormwater is managed, on many fronts:

- Sediment control regulations in the form of a general bylaw will be advanced to the Fall Town Meeting in October, for which the warrant closes August 10.
- A public meeting date tbd will be scheduled for additional discussion and comments.
- Stormwater is currently addressed in our curb-cut policy. Adding a degree of accountability for private property owners to properly address stormwater flows on their own property and not allow it to runoff into public ways is the goal of the proposed draft Stormwater Bylaw.

#### **Regarding changes to Title 5, and TMDL NSA's**

Changes to Title 5 have been published and became effective on July 7, 2023. MassDEP has also developed final Watershed Permit Regulations. Title 5 now designates watersheds on Cape Cod that include an EPA-approved TMDL as NSAs - which are Nitrogen Sensitive Areas .

Communities with nitrogen TMDLs will have to upgrade all on-site system to use enhanced I/A systems within 7 years unless the community applies to DEP for a watershed permit. The watershed application would contain a proposal describing how the community will meet the transition to enhanced I/A upgrades to reduce the nutrient load to the impacted water body within a 20-year period. If the community files an application for a watershed permit, the upgrade requirements will be stayed or paused.

This regulatory shift does not apply to most of Truro at this time.

There is a small area in South Truro that will be required to act under the terms of the Wellfleet Harbor Watershed permit, which is still under review with the DEP. For a map of this area see [Nitrogen Sensitive Areas Address Lookup \(arcgis.com\)](#)

The Town understands that that East Harbor and the Pamet River are impaired water bodies. We are working proactively, to align our planning process with the new regulations. We have contracted with the engineering firm GHD to prepare our Comprehensive wastewater management plan. The plan will direct our wastewater management activities across town. It is likely that we will be moving into a watershed permit application process within several years, and once we are inside that permit, we will have up to 20 years to meet the enhanced I/A upgrade targets.

#### **Regarding Wastewater Management Planning:**

GHD and Scott Horsley will be updating the BoH at this meeting of July 18, 2023, to describe where we stand with Provincetown about sewer planning. At this time, the Board of Health and Selectboard will bring Truro into a more formal level of discussion and agreement with Provincetown. GHD will also be communicating with the DEP about our ACO process.

#### **Water Resources discussion with Provincetown:**

The Provincetown-Truro staff/consultant team met in late June to discuss the peer review of past and present modeling that has been used. The work is moving forward, and we expect to have detail to report out in September.