Good afternoon Ms. Sturdy:

Please convey this email to the members of the Board for their consideration at this evening’s hearing.

My clients remain committed to working with the Board to ensure this vital project can go forward. To that end, while we remain firm that the measures, including a pre-permit hydrogeological study, we suggested at the last hearing should be implemented, we are willing to propose a compromise in order to facilitate the project’s success. To wit we propose that the Board require a hydrologic study post-permit, as follows:

Due to the Pilot standing of the I/A system and in order to make the project and the system the best possible and safest for all concerned, we continue with our request for a hydrologic study, and the placement of additional monitoring wells, the location and number of which will be informed by the hydrologic study. To be clear, the study we are asking for is not:

- an exhaustive well by well mapping of the PV area
- an avenue to block the current proceedings or construction of the Cloverleaf.

Rather, the study would be a post-permit requirement that must be done prior to commencement of I/A system operations. The post-permit study would model groundwater flow from the Cloverleaf site and within the Pond Village subwatershed (we assume that many of the requisite data inputs are already available from previous efforts). The results will inform where to put additional monitoring wells so that accurate water samples can be taken during routine monitoring and in the event of a failure. Without accurate placement of monitoring wells, we cannot be certain of the system’s performance over time and its impacts on Truro residents’ health and safety.

Additionally, as you know, we have requested that the Applicant be required to demonstrate that there are adequate operations and maintenance (O&M), contingency and back up measures in place prior to the issuance of a comprehensive permit. The lack of any such detailed assurances to date are concerning. To this end, and in an effort to allow this project to move forward now, we request that supplying suitable peer reviewed O&M, contingency, and back-up plan be a requirement under the Comprehensive Permit, that must be satisfied prior to any occupancy permits are issued.

The compromises discussed herein are significant because they are geared to allowing the project to move forward now while providing necessary assurances after the permit is issued as final plans are being developed.

We hope that the Board is receptive to this idea. While we remain concerned that the necessary due diligence is not being completed as part of the public hearing, we are committed to trying to work with the Town and the applicant in a productive rather than adversarial manner.

Thanks,
Jay

p.s. I am happy to address these issues tonight although I have another meeting beginning at 7:00 p.m. If I am unavailable, I am sure that one of my clients would be pleased to address these issues.