DRAFT MEETING MINUTES
CAPE COD AND ISLANDS WATER PROTECTION FUND MANAGEMENT BOARD
4/29/2026

Cape Cod Member Towns

Barnstable	Mark Ells, Town Manager	Present
Bourne	Mary Jane Mastrangelo, Select Board	Present
Brewster	Peter Lombardi, Town Administrator	Present
Chatham	Jill Goldsmith, Town Manager	Absent
Dennis	Elizabeth Sullivan, Town Administrator	Present
Eastham	Jacqueline Beebe, Town Administrator	Present
Falmouth	Peter Johnson-Staub, Assistant Town Manager	Absent
Harwich	Don Howell, Select Board	Absent
Mashpee	Michaela Wyman-Colombo, Select Board	Present
Orleans	Kevin Galligan, Select Board	Present
Provincetown	Jim Vincent, Dept. Public Works Director	Present
Sandwich	Bud Dunham, Town Manager	Present
Truro	Emily Beebe, Health & Conservation Agent	Present
Wellfleet	Ryan Curley, Select Board	Present
Yarmouth	Mark Forest, Select Board	Present

Non-voting Ex-officio Members

Cape Cod Commission	Kristy Senatori, Executive Director	Present
Martha's Vineyard Commission	Adam Turner, Executive Director	Present
Nantucket	Elizabeth Gibson, Town Manager	Absent

Summary of Discussion/Action Taken: The Management Board approved minutes from the 1/12/2026 Management Board meeting and voted to provide 25% subsidies to qualified projects listed on the 2026 Clean Water Intended Use Plan. The Management Board reviewed guidance to new member communities, received a presentation on wastewater planning in Oak Bluffs, reviewed financial analyses of potential new member communities, and voted to approve amendments to the Fund regulations relative to new member communities.

Documents Used/Received: PowerPoint Presentation dated April 29, 2026; draft minutes of the 1/12/2026 Management Board Meeting; list of 2026 projects qualified for CCIWPF Subsidy, dated April, 2026; PFM CCIWPF Islands Forecast memo, dated April 24, 2026; PFM Oak Bluffs scenarios memo, dated April 24, 2026; Memo regarding CCIWPF requirements, dated April 15, 2026; Redline of CCIWPF Regulations, dated April 23, 2026.

Chair Kevin Galligan called the meeting to order at 10:01am. The meeting was held virtually, with members of the Cape Cod and Islands Water Protection Fund (CCIWPF, or Fund) Management Board participating remotely, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, as further amended by Chapter 2 of the Acts of 2025. Erin Perry, Deputy Director of the Cape Cod Commission (Commission), called the roll for attendance, which is noted above.

Approval of Minutes

Mark Ells moved to approve the minutes of the 1/12/2026 Management Board meeting; seconded by Bud Dunham. Ells, yes; Mastrangelo, yes; Lombardi, yes; Sullivan, yes; J. Beebe, yes; Wyman-Colombo, yes; Galligan, yes; Vincent, yes; Dunham, yes; E. Beebe, yes; Curley, yes; Forest, yes.

Final 2026 Clean Water Intended Use Plan Subsidy Awards

Mr. Galligan called for review of projects listed on the 2026 Clean Water Intended Use Plan (IUP).

Michele White, of the Commission, said the 2026 Clean Water Intended Use Plan was issued on April 1st and includes 10 projects in five Cape Cod communities, totaling about $212.4 million in project costs with an overall IUP capacity for new and carryover projects combined totaling about $702 million. She said there are two new projects, one in Barnstable and one in Dennis, and the remainder are multi-year carryover projects in Barnstable, Dennis, Eastham, Mashpee, and Yarmouth.

She reminded members the Fund financial model assumed $350 million in project costs for 2026, so the actual project costs are significantly less than anticipated. She recognized Matthew Schnackenberg of PFM Financial Advisors as in attendance and available to review the financial model assumptions and the impact of the 2026 project costs on the Fund model.

Ms. White said the Executive Committee met earlier this month and voted to recommend the Management Board award 25% subsidies as presented in the PowerPoint presentation.

Mr. Galligan reiterated the total IUP cost is lower than projected but multi-year carryover costs may be more common in the future with yearly limitations and caps on the State Revolving Fund.

Matthew Schnackberg, of PFM Financial Advisors, reviewed the Fund financial model with the inclusion of actual project costs for 2026, assumptions for future project costs and projected future revenues, with actual revenues for 2026 through the third quarter of this fiscal year. He said the Fund is in a good position and, with this information, able to fund projects through the 2040 IUP. Mr. Schnackenberg said the model will continue to be updated as more information becomes available.

Mr. Ells asked if the model assumes subsidies will be paid out over the life of the loan. Mr. Schnackenberg said yes, the model assumes 20-year payout periods to be conservative. Mr. Ells said it would be helpful to see the Fund information past 2040 and over the life of the loan to begin to plan for the future now.

Mr. Ells made a motion to approve contingent commitments for 25% subsidies to fund qualified projects listed on the 2026 Massachusetts Clean Water Intended Use Plan in the amounts presented; seconded by Michaela Wyman-Colombo. Ells, yes; Mastrangelo, yes; Lombardi, yes; Sullivan, yes; J. Beebe, yes; Wyman-Colombo, yes; Galligan, yes; Vincent, yes; Dunham, yes; E. Beebe, yes; Curley, yes; Forest, yes.

New Member Communities Guidance

Mr. Galligan called for review of guidance from the Management's Board's legal counsel on potential new member communities joining the Fund.

Ms. Perry reminded members at the December Management Board meeting, Commission staff discussed interest from Oak Bluffs in joining the Fund and the Management Board authorized

Commission staff to work with PFM to develop some revenue projections and subsidy scenarios. The Executive Committee has been meeting to review and discuss this topic and one of their requests was for legal guidance on the process for joining the Fund and the ability of the Management Board to adopt regulatory amendments to address projects listed on IUPs between the time the Fund was created and the time a new member community joins the Fund.

She said more will be discussed on this topic today and the next several agenda items are related to new member communities, but the need for this guidance in part stems from a request from Oak Bluffs for the Management Board to consider a subsidy for its project listed on the 2022 IUP, prior to the town's potential membership.

She acknowledged a memo from the Management Board's legal counsel in today's meeting materials which clarifies that once a municipality's Select Board votes to submit a plan to the Department of Environmental Protection (DEP) and DEP approves the plan as a suitable 208 equivalent plan that the community is a member of the Fund. The memo also provides guidance on tax collections, confirming that the select board should vote on the date to start collections, which can only begin at the start of a calendar quarter at least 30 days after the date they have joined the Fund. The memo also confirms the Management Board's authority to establish when a new member community becomes eligible for subsidies and to award subsidies to cover debt incurred after the Fund was established but before a community joined. The memo reiterates the role of the Management Board through the legislation is to provide the equitable distribution of funds across member communities.

Mr. Galligan acknowledged the balance between receiving revenue to support subsidies and noted that while the adoption of a local room's tax did have to go to town meeting, the memo indicates no town meeting is required for the community to collect the CCIWPF excise tax.

Bob Malecki, of the Finance Committee in Oak Bluffs, asked if the memo from legal counsel explicitly says that the town's executive body can decide to collect the CCIWPF excise tax without going to town meeting. Ms. Perry noted a footnote on page 2 of the memo that references Section 3C of the Act that created the Fund, which says the Water Protection Fund tax imposed on member communities is mandatory and not permissive, and her understanding is town meeting vote is only required for local options taxes under Section 3A. Mr. Galligan said the next steps for Oak Bluffs or any potential new member would be indicating to the Division of Local Services when they want that excise tax collection to begin.

Gail Barmakian, wastewater commissioner in Oak Bluffs, agreed the legislation does not require a town meeting vote and said that DEP gave Oak Bluffs a pre-approval of a certified 208-equivalent plan so the town could decide if it wanted to join the Fund without automatically becoming a member.

Presentation on Oak Bluffs Wastewater Planning

Mr. Galligan called for a presentation from representatives of Oak Bluffs on the town's wastewater planning efforts, including ongoing and anticipated wastewater projects and town efforts to consider Fund membership.

Ms. Perry said the Executive Committee asked for a presentation from Oak Bluffs on their water quality and wastewater planning and efforts toward joining the Fund. Oak Bluffs is the only island community that has reached out and expressed interest in joining the Fund to date. Commission

staff have responded to questions from some other communities but have not heard serious interest from others yet.

She said the purpose in bringing this presentation to the Management Board is to inform the next agenda items and Commission staff have worked with PFM to incorporate the town's planned wastewater project costs into the Fund financial model through scenarios to help inform the Management Board's discussion on when new member communities become eligible for subsidies.

Ms. Perry introduced Marc Drainville of GHD, the town's wastewater consultant, to present.

Mr. Drainville reviewed water quality issues in Oak Bluffs, where 85% of the town uses on-site septic systems, contributing to local water quality decline and reviewed how much nitrogen will need to be removed from watersheds based on 2040 projections. He said Oak Bluffs does have a centralized wastewater treatment facility (WWTF) which is approximately 25 years old, is approaching the end of its design life, and is not designed for low level nitrogen removal.

Mr. Drainville reviewed the objective and goals of the town's Comprehensive Wastewater Management Plan (CWMP) which is a 20-year plan and the technologies considered in the plan, such as Innovative/Alternative septic systems, permeable reactive barriers, inlet widening, a fertilizer bylaw, stormwater management, dredging, and aquaculture, along with sewering, and where in town these technologies are proposed to be implemented.

He showed a draft plan implementation schedule, where the existing WWTF is currently being upgraded and when future sewering phases are expected, along with other planned alternative technologies projects. He showed estimated costs for the total program, approximately $105 million over 30 years, where about 60% of those costs are associated with the centralized collection and treatment system. Mr. Drainville presented recommendations from the CWMP, a monitoring program to track progress towards implementation, and CWMP implementation status where the town has a Massachusetts Environmental Policy Act (MEPA) certificate for the plan, a 208-equivalency approval letter, the existing WWTF is currently being upgraded which is expected to be completed next year, and town meeting recently authorized the design of sewer Phase 1.

Mr. Galligan congratulated the town on all of the work accomplished to date

Financial Analysis of Potential New Member Communities

Mr. Galligan called for review the potential impacts of new member communities on the Fund's financial model, including revenue projections for Dukes and Nantucket counties' municipalities and potential subsidy scenarios for the Town of Oak Bluffs.

Ms. Perry again stated in December, when discussing interest from Oak Bluffs in exploring Fund membership, the Management Board voted to have Commission staff work with PFM to develop revenue projections for Dukes and Nantucket counties for referral to the Executive Committee. Since that time, Commission staff have been coordinating with PFM and the Executive Committee, and staff at PFM have developed revenue projections for islands communities and ran some scenarios in the Fund financial model, at the direction of the Executive Committee, to see what impact Oak Bluffs may have on joining the Fund.

She said at this time, Commission staff do not have information on potential projects from other islands communities, but scenarios can be run as new information becomes available or as other communities express interest in joining the Fund.

She acknowledged Garrett Hicken of PFM Group Consulting as in attendance to provide an overview of those revenue projections and Mr. Schnackenberg is available to review the financial model scenarios, and both are available for questions. She said Mr. Schnackenberg has run a number of scenarios for the Executive Committee and he will review the scenarios voted on by the Executive Committee, which support providing a subsidy for Oak Bluffs 2022 IUP project.

Mr. Hincken reviewed the methodology used to create revenue projections for Nantucket and Martha's Vineyard towns, looking at the existing tax base and past local option rooms tax collections and using hospitality and consumer spending data to forecast future revenues. The results project a gross average of over 4% over the next five years which was applied to all of the towns using actual revenues through the third quarter of this fiscal year. Mr. Hincken reviewed the timing of collections relative to disbursement into the Fund and an estimate of the percentage of first year collections depending on the timing of when Oak Bluffs should vote to begin tax collections.

Ryan Curley noted state Department of Revenue rooms tax collection does not separate out short-term rentals from hotels and said the analysis makes sense.

Peter Lombardi clarified that once the tax is collected it only applies to new bookings, it is not retroactive, so the Fund would not capture a full amount of summer revenues until next summer.

Dion Alley, chair of the Oak Bluffs select board, said the town is trying to do its due diligence with respect to possibly joining the Fund and said the select board may take up this discussion in May based on what he has heard today with the timing of different actions.

Next, Mr. Schnackenberg reviewed two financial model scenarios that would provide a subsidy for Oak Bluffs 2022 IUP project and future anticipated projects, showing that the CCIWPF could fund projects through the 2041 IUP and that Oak Bluffs would be a net contributor to the Fund.

Mary Jane Mastrangelo asked when Oak Bluffs might be eligible for subsides if it votes on collecting the tax. Mr. Galligan said that is the position the Management Board is in to decide and that discussion is next on the agenda.

Regulatory Amendments for Potential New Member Communities

Mr. Galligan called for review of potential amendments to the Fund regulations to accommodate new member communities.

Ms. Perry said amendments to the Fund regulations are necessary to accommodate new member communities. Commission staff worked with the Management Board's legal counsel to draft potential amendments consistent with the Executive Committee discussions to date. She reviewed potential amendments that expand the definition of a participating local government unit, add a definition for preceding project, updates to Section 4.2 to clarify subsidy eligibility, and unrelated updates to Section 8.3 for water quality monitoring consistent with legislative amendments.

She said Commission staff have also coordinated with Nate Keenan at the Clean Water Trust to get more information on other island projects that have been listed on IUPs since the Fund was created to better understand the magnitude of projects that are similar to the 2022 Oak Bluffs project they are requesting subsidy for and would qualify as a preceding project. Nantucket is the only other island town that has had projects listed on the IUP in that time and since 2018 they have had six projects listed on the IUP totaling approximately $62 million. Only one of those projects has not

executed a loan agreement yet, a 2025 project totaling $11.75 million, and would qualify as a preceding project until the time that loan goes into repayment.

Based on the conversations to date and the information gathered, Commission staff would recommend that the Management Board could accommodate the Oak Bluffs 2022 project subsidy while also putting some bounds around the magnitude of similar projects that would be considered in the future if the regulatory amendments specify that new member projects are eligible for subsidy so long as they have not yet gone into repayment.

Ms. Perry said once a community becomes a Participating Local Government Unit, which means they are a member and tax collections have begun, they are eligible for subsidies for future projects consistent with the way existing member community's projects are eligible.

She also noted this opportunity to update the monitoring language, as a Memorandum of Understanding with DEP is no longer required for the Management Board to spend funds on monitoring activities. The proposed revisions mirror state law.

Mr. Galligan reiterated the goal of balancing providing an equitable distribution of funds among member communities consistent with revenue collected by the Fund.

Mr. Malecki noted Oak Bluffs first debt payment for its 2022 IUP project will be in January 2027 and questioned the timing of when the town would need to vote to collect the tax relative to that payment. Mr. Galligan noted when the select board votes to begin collections on a future date, the town will still have time to do outreach to the community to educate on the Fund. Ms. Perry said the date the tax is assessed is likely the important date relative to Oak Bluffs 2022 project qualifying as a preceding project but tax collection questions should be directed to the Department of Revenue.

Adam Turner, Executive Director of the Martha's Vineyard Commission reminded members that the islands communities were included in the original version of the CCIWPF legislation, but those communities did not have 208-equivalent plans at that time. He said the overall goal is to improve water quality and commended all involved for their work to date.

Ms. Mastrangelo questioned the timing of when Oak Bluffs might vote to begin tax collections and when those collections would be received by the Fund relative to the town's 2022 project qualifying as a preceding project and cautioned the town to keep this in mind.

Members discussed whether to forward the proposed amendments to the Bylaws and Regulations Committee. When asked, Ms. Perry said that this is at the Board's discretion as the Board has the ability to adopt amended regulations with or without review by another committee.

Ms. Mastrangelo made a motion to adopt the amended regulations, as presented; seconded by Ms. Wyman-Colombo.

Mr. Ells asked to review the proposed amendments again, which Ms. Perry reviewed, noting these amendments were drafted by Pierce Atwood, the Management Board's legal counsel. Mr. Ells expressed a desire to have the Management Board retain the ability to review the financial implications of possible new members joining the Fund relative to these amendments.

The Management Board voted on the motion. Ells, yes; Mastrangelo, yes; Lombardi, yes; Sullivan, yes; J. Beebe, yes; Wyman-Colombo, yes; Galligan, yes; Vincent, yes; Dunham, yes; E. Beebe, yes; Curley, yes; Forest, yes.

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Member Reports

Mr. Galligan called for updates from member communities.

Ms. Mastrangelo said Bourne is continuing its notice of intent planning for watershed permits for Nitrogen Sensitive Areas and is drafting a scope of work and qualifications for consulting services.

Mr. Lombardi said Brewster got an updated Pleasant Bay watershed permit and has finalized its Herring River watershed permit which is going to DEP soon. He said the town is in the process of finalizing an update to its Integrated Water Resource Management Plan and is about to finish its first ever Pond Management Plan, both of which will be presented to the select board and residents in July.

Elizabeth Sullivan said Dennis is underway with Phase 1 implementation for its sewer and treatment facility project and things are going well.

Jacqueline Beebe said Eastham is out to bid for its treatment plant and bids are coming in.

Ms. Wyman-Colombo said Mashpee has been focusing on the Popponesset watershed and once those projects are up and running 46% of the town's nitrogen contribution to that watershed will be removed. There is a warrant article for Town Meeting for the design of a WWTF and collection system for the Waquoit watershed which will remove 30% of nitrogen from Waquoit Bay and will have implications for phosphorus entering Johns and Ashumet Ponds and other nutrients from the Quashnet River.

Mr. Galligan said Orleans has a warrant article for Town Meeting to support early phase design work for Phase 4 which includes some lakes and ponds in addition to Pleasant Bay. He said bids for Phase 3 open next week.

Mr. Dunham said Sandwich had an excellent meeting with DEP before Thanksgiving, trying to find a way to make a collection and conveyance system within the town SRF eligible if it connects to the treatment plant at Joint Base Cape Cod. If that does not work out, the town received two parcels through federal bankruptcy court outside of Zone II areas where the town could focus its wastewater efforts if need be. The town has signed contracts to have hydrogeologic evaluations completed on those properties. The town is also updating its Comprehensive Water Resources Management Plan. Lastly, three public school wastewater systems will be upgraded by the start of school in September.

Mr. Curley said Wellfleet's Targeted Watershed Management Plan is in the process of being revised for resubmission to DEP. There is a small cluster system associated with an affordable housing development that will also tie in the elementary school and fire station. The town received grants through MassWorks that covered a good portion of the actual cost of the treatment facility, which will be going online in the next few months. As part of that, the town is working on its sewer regulations.

Mr. Forest said construction is still moving forward in Yarmouth on the collection system and Phase 1 of the treatment plant. The town is still working towards a discharge permit and exploring an alternative area in town for a discharge site, which is challenging. The town is going after more AquiFund money. He said the town has been following progress on clean water funding at the federal level.

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Mr. Ells said a group needs to be convened to work on challenges around effluent discharge and PFAS policies at the state level, and the legal implications of those, especially in Barnstable. The town has spent money on legal issues that it could have put towards wastewater projects. He said the town is almost through its Phase 1 and has sewer from Hyannis to Route 149.

Mr. Galligan agreed and asked Commission staff to follow up on further discussion on tangential impacts on wastewater.

Mr. Turner said Martha's Vineyard towns are entering into a public-private partnership to study urine diversion as a potential technology for water quality improvements, in addition to the islands work on Innovative/Alternative septic systems and permeable reactive barriers. He said the island received a grant to establish a regional management entity.

New Business

Mr. Galligan called for any new business. He suggested it may be time to review the CCIWPF Act and Regulations relative to inviting Oak Bluffs to appoint a voting member.

Ms. Perry noted an amendment to the Environmental Bond Bill the Management Board should be aware of and suggested convening the Executive Committee to discuss and potentially send comments. Andrew Gottlieb, of the Association to Preserve Cape Cod (APCC), noted amendment 267 to the Mass Ready Act which passed as part of a bundle of amendments and impacts programs funded through this Act, such as the SRF program. He said the amendment gives preference to applicants of grant programs funded by the bill that have policies in place that encourage housing production, with specific mention of policies that eliminate wastewater and wetlands standards that exceed state health or environmental standards. He said many Cape Cod towns have standards in place that exceed state standards. He said this could impact Cape Cod projects SRF rankings, which he does not believe was the intent. He said APCC will be working on this issue in the House as the bill comes forward and suggested the Executive Committee meet to discuss and potentially send comments. Mr. Galligan asked Ms. Perry to coordinate with the Executive Committee on this topic.

Ms. Barmakian noted Oak Bluffs had a struggle with its CWMP when there was an affordable housing project proposed in an impaired watershed. She said presumably the bill is encouraging multi-family housing and sometimes that can be counterproductive to water quality improvement efforts and can have unintended consequences.

Public Comment

Mr. Galligan called for public comment. There was none.

Future Agenda Topics

Mr. Galligan called for discussion on possible future agenda items. There were none, in addition to those discussed previously.

Adjourn

Mr. Ells made a motion to adjourn, seconded by Mr. Curley. Ells, yes; Mastrangelo, yes; J. Beebe, yes; Galligan, yes; Dunham, yes; Curley, yes; Forest, yes.

The meeting adjourned at 12:00pm.

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