

Patrick-Murray Administration Nominates Cape Cod and Islands Coastal Waters for Boat Waste Discharge Ban

[Map of proposed Cape Cod and Islands No Discharge Area](#)

[Map of existing No Discharge Areas statewide](#)

BOSTON – Monday, March 5, 2012 – Energy and Environmental Affairs (EEA) Secretary Richard K. Sullivan Jr. today submitted an application to the U.S. Environmental Protection Agency (EPA) to designate state waters south of Cape Cod and surrounding Nantucket and Martha's Vineyard as the South Cape Cod and Islands No Discharge Area (NDA). The designation would prohibit the discharge of any treated or untreated boat sewage in the area, which encompasses 807 square miles.

"Our coastal waters are a precious natural resource and each season we get closer to our goal of protecting all of our coastal waters from boat pollution," said Secretary Sullivan. "This designation would keep our marine habitats clean for wildlife and recreation like boating and swimming while protecting this significant commercial fishing and tourism economic resource."

NDA's protect water quality and aquatic life from pathogens, nutrients and chemical products contained in discharged sewage and also reduce the risk of human illness, making it safer to swim, boat, fish and eat shellfish from protected waters. NDAs can also help reduce the growth of harmful algae that occurs due to high nutrient levels in sewage discharge and protect commercial clam fishing flats.

Clean coastal waters are important for Cape Cod and the Islands, with recreation and tourism being the cornerstone of these coastal economies. The nominated area includes 143 bathing beaches covering over 26 miles of shoreline. In addition to roughly 15,000 resident vessels, an estimated 700 to 800 visiting recreational boats regularly travel these waters during the summer.

Shellfishing is another important commercial and recreational activity in the area, with bay scallops, soft-shell clams, surf clams, blue mussels, oysters, and quahogs harvested in these waters. The value of recreational shellfish harvesting alone is more than \$7 million each year in Barnstable County. These and other commercial and recreational pursuits will all benefit from the cleaner waters that will come from designating the area as a no-dumping zone for boat sewage.

Secretary Sullivan submitted the South Cape Cod and Islands NDA application through the state's Office of Coastal Zone Management (CZM), capping five years of extensive work by CZM and 14 communities to ensure the necessary waste pumpout facilities are available for boaters to use. The 14 communities are: Chilmark, West Tisbury, Tisbury, Oak Bluffs, Edgartown, Gosnold, Falmouth, Mashpee, Barnstable, Yarmouth, Dennis, Harwich, Chatham and Nantucket.

"Massachusetts environmental leaders have been wise and forward thinking by helping coastal communities to protect the health of their coastal waters," said Curt Spalding, regional administrator of EPA's New England Office. "So much of our local economy is based on a clean and healthy coastal environment, which helps drive a vibrant tourist economy, healthy shellfishing beds and abundant habitat for wildlife. Establishing a No Discharge Area in the waters south of Cape Cod and surrounding Nantucket and Martha's Vineyard will help ensure these areas retain their beauty and charm and help protect one of the remaining portions of coastal water in Massachusetts."

"This is great news for the Cape and Islands," said Senate President Therese Murray. "Protecting our environment is a great responsibility and, by prohibiting the discharge of boat sewage in this region, we will preserve our coastline and keep our coastal waters environmentally sound. This designation will also protect our communities and support important industries such as tourism and fishing. I want to thank Barnstable, Falmouth and all the towns that worked to

prepare for this nomination and Secretary Sullivan for continuing to take the necessary steps to protect our coastal waters.”

“This is a welcome, significant step forward in our efforts to protect our precious coastal waters,” said Sen. Dan Wolf. “I’d like to congratulate everyone in both the public and private sectors who are making this protection not just desirable, but feasible.”

“We all appreciate the beauty of Cape Cod and the fish and shellfish that emanate from Cape waters. Too often we tend to forget that keeping the Cape beautiful and its waters pollution free takes significant conscious effort, especially when more and more people and more and more boating activity occurs,” said Rep. Cleon Turner. “For that reason, this designation will be a continuing reminder that swimmers, boaters and regulators need to work together to protect our beaches, waterways, and the local seafood industry from pollution.”

The South Cape Cod and Islands NDA is home to commercial ferry operations that serve as lifeline to the Islands and the towns of Nantucket, Chilmark, West Tisbury, Tisbury, Oak Bluffs, and Edgartown. The ferry operators have been working closely with state and local government and have made substantial progress retrofitting vessels, building shoreside pumpout infrastructure and ensuring adequate capacity and conditions so that boat waste can be processed by municipal wastewater treatment plants.

In recognition of this practical reality, this NDA nomination includes two temporary exclusions where discharge of treated boat sewage will still be allowed. Any waste released by commercial vessels in these temporary exclusions must be treated by marine sanitation devices. CZM anticipates the designation of these temporary exclusions as no discharge by 2016.

“I’d like to thank the 14 Cape and Island communities that worked with CZM, the Division of Marine Fisheries and the EPA to prepare for this nomination including installing the recreational and commercial pumpout facilities necessary to meet federal requirements,” said Bruce Carlisle, CZM Director. “I’d also like to thank and the major commercial vessel operators, particularly the Steamship Authority, who are working diligently to retrofit their vessels and collaborate effectively with communities to ensure that they can comply with the discharge ban as soon as facilities for the ferries are available.”

There are now 29 boat sewage pumpout facilities in accessible locations throughout the area to make compliance with the no discharge requirements convenient for boaters. Several of the 14 coastal communities have at one time received reimbursement for 75 percent of the cost of purchasing and operating their pumpout facilities via the Commonwealth’s Clean Vessel Act Program, administered by the Division of Marine Fisheries (DMF) and funded by the U.S. Fish and Wildlife Service’s Sportfish Restoration Program.

“Thanks to funding from our federal partners, we’ve put more pumpout boats in service than any other coastal state,” said Department of Fish and Game Commissioner Mary Griffin, whose office includes DMF. “This extensive coverage, coupled with the many shoreside stations placed in service, provides the infrastructure to achieve the goal of designating the Commonwealth’s coastal waters as a No Discharge Area.”

Under the Clean Water Act, a body of water can be designated as an NDA if local, state and federal authorities determine it is ecologically and recreationally important enough to merit protection above and beyond that provided by existing state and federal laws. In Massachusetts, CZM works closely with communities and EPA to establish NDAs as part of a comprehensive regional water quality approach.

Due to efforts by the Patrick-Murray Administration, there are now NDAs along almost the entire Massachusetts coast. Once the South Cape Cod and Islands NDA is approved, over 95 percent of state waters will be no discharge for boat sewage. These 15 NDAs have been previously designated:

- Outer Cape Cod (the coastal waters from Provincetown to Chatham, including Nauset Harbor)
- Upper North Shore (the coastal waters of Gloucester, Rockport, Essex, Ipswich, Rowley, Newbury, Newburyport,

Salisbury [including the Merrimack River in Amesbury], West Newbury, Merrimac, Groveland, North Andover, Haverhill, Methuen and Lawrence)

- Pleasant Bay (Brewster, Orleans, Harwich and Chatham) and Chatham Harbor
- The coastal waters of Revere, Saugus, Lynn, Nahant and Swampscott, including the Pines and Saugus Rivers
- All of Cape Cod Bay
- Boston Harbor (the coastal waters of Winthrop, Chelsea, Everett, Boston, Quincy, Milton, Weymouth, Braintree, Hingham and Hull, including the Charles River in Watertown, Newton and Cambridge)
- Salem Sound (the coastal waters of Manchester-by-the-Sea, Beverly, Danvers, Salem and Marblehead)
- The coastal waters of Cohasset, Scituate and Marshfield
- The coastal waters of Plymouth, Kingston and Duxbury
- All of Buzzards Bay
- Waquoit Bay in Falmouth
- The coastal waters of Harwich
- Three Bays/Centerville Harbor in Barnstable
- Stage Harbor in Chatham
- The coastal waters of Nantucket from Muskeget Island to Great Point, including Nantucket Harbor

For more information on No Discharge Areas in New England, please visit: www.mass.gov/czm/nda and www.epa.gov/region01/eco/nodiscrg. For more on boat sewage pumpout locations throughout Massachusetts coastal waters, see: www.mass.gov/czm/nda/pumpouts.

CZM is the agency within EEA charged with protecting Massachusetts' approximately 1,500-mile coast. Through educational and regulatory programs, CZM seeks to balance human uses of the coastal zone with the need to protect fragile marine resources. The agency's work includes helping coastal communities anticipate and plan for sea level rise and other effects of climate change, working with cities and towns and the federal government to develop boat sewage no-discharge areas, and partnering with communities and other organizations to restore coastal and aquatic habitats.

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