

---

Date: July 1, 2009

To: Falmouth Town Council,  
Nathan Poore, Town Manager

From: Jay Reynolds, Interim Director of Parks and Public Works



Re: Stormwater Ordinance Amendments

---

This memo is to summarize the purpose of the proposed stormwater ordinance amendments, and also provide some additional background regarding the Town's stormwater requirements.

Falmouth is a regulated municipality with regards to stormwater discharges. Any municipality that discharges stormwater to the 'waters of the State' is regulated under the State of Maine (NPDES) permitting, which falls under the laws of the Federal Clean Water Act. Falmouth has a 'Municipally Separated Storm Sewer System' (MS4) and discharges said storm system to State regulated waters, which are applicable items under these rules. There are 14 municipalities in the Greater Portland area that are regulated.

Under the Maine General Discharge Permit, municipalities are regulated in 5-year cycles (2003-2008, 2008-2013). As part of the current permit cycle, post-construction monitoring is one of the new requirements. The permit language states the following: "Each permittee shall develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre". It further states that: "to ensure adequate long-term operation and maintenance of post construction BMP's, each permittee shall implement an ordinance, or similar measure approved by the Department".

The attached language has been drafted in order to comply with these state regulations. The Maine Department of Environmental Protection has reviewed the proposed language and has approved it. This indicates that if the amendments are adopted, Falmouth will maintain its compliance with the above-stated stormwater regulations.