

**AGENDA & PROPOSED ORDERS
GORHAM TOWN COUNCIL REGULAR MEETING**

May 5, 2009 – 7:00 p.m.
Gorham Municipal Center – Council Chambers

PLEASE NOTE: The proposed orders on this agenda are suggested orders only and may change without notice prior to the meeting.

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the April 7, 2009 Regular Town Council Meeting and the April 14, 2009 Special Town Council Meeting.

Open Public Communications

Councilor Communications

Chairman's Report

Town Manager's Report

School Committee Report

Department Report – Economic Development Corporation

NEW BUSINESS

Public Hearing #1 Pubic Hearing to consider approval to renew the liquor license for Aramark Educational Services, LLC.

Item #7710 Action to consider approval to renew the liquor license for Aramark Educational Services, LLC. (Adm. Spon.)

Proposed Order #7710 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve the renewal of the liquor license for Aramark Educational Services, LLC.

Item #7711 Action to consider adopting a Stormwater Management Plan. (Adm. Spon.)

Proposed Order #7711 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled adopt the new Stormwater Management Plan, as presented.

Item #7712 Action to consider abating taxes that were assessed in error. (Adm. Spon.)

Proposed Order #7712 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled abate taxes assessed to Kenneth J. and Brenda L. Plaszc at 25 Distant Pines Drive (Tax Map 1, lot 6.207) in the amount of \$578.00 for the 2006/2007 fiscal year and \$614.40 for the 2007/2008

fiscal year because of an error in the assessment.

Item #7713 Action to consider a Sewer Service Agreement between Windham, Gorham, Westbrook and the Portland Water District. (Adm. Spon.)

Proposed Order #7713 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve an updated Sewer Service Agreement between the communities of Windham, Gorham, and Westbrook and the Portland Water District for the allocation of capacities, costs and maintenance responsibilities.

Item #7714 Action to consider a joint use agreement between Windham and Gorham for Sewer facilities. (Adm. Spon.)

Proposed Order #7714 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve an updated agreement for joint use, ownership, operation and maintenance of sewer collector facilities.

Item #7715 Action to consider a request to rezone property located at 18 County Road (Tax Map 6, Lot 8) in South Gorham from Suburban Residential to Roadside Commercial. (Adm. Spon.)

Proposed Order #7715 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a request to rezone property located at 18 County Road (Tax Map 6, Lot 8) in South Gorham from Suburban Residential to Roadside Commercial to the Ordinance Committee for their review and recommendation.

Item #7716 Action regarding the June 9, 2009 Special Referendum and School Budget Validation Referendum Election.

Proposed Order #7716 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled authorize the Town Clerk to issue the warrant for the June 9, 2009 Special Referendum and School Budget Validation Referendum Election; and,

BE IT FURTHER ORDERED that the Town Council of the Town of Gorham, Maine, in Town Council assembled appoint the following persons as Wardens and Ward Clerks for the designated voting districts for the June 9, 2009 Election and if any of the following should fail to serve the Town Council hereby gives the Town Clerk the authority to appoint substitutes:

District 1 - Linda Deering, Warden and Laurel Smith, Ward Clerk

District 2 - Pat Clay, Warden and Nancy Kenty, Ward Clerk

Central - Connie Loughran, Warden and Christina Silberman, Ward Clerk

BE IT FURTHER ORDERED that the Registrar of Voters be in session during regular office hours on Monday, June 1, 2009, Tuesday, June 2, 2009, Wednesday June 3, 2009, Thursday, June 4, 2009, Friday June 5, 2009, and Monday, June 8, 2009 and,

BE IT FURTHER ORDERED that the Town Clerk be authorized to process absentee ballots at the Gorham Municipal Center on Monday,

June 8, 2009 at 10:00 am and on Tuesday June 9, 2009 at 9:00 am, 11:00 am, 1:00 pm, 3:00 pm, 5:00 pm, 7:00 pm and at 8:00 pm.

ADJOURN

DRAFT
STORMWATER
PROGRAM MANAGEMENT PLAN

FOR

Town of Gorham

Date: February 18, 2009

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SECTION 1 INTRODUCTION

Section 1.1 Overview of Regulatory Program

The General Permit for Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (heretofore referenced as the "General Permit") was issued by the Maine Department of Environmental Protection (DEP) on July 1, 2008. The General Permit authorizes the direct discharge of stormwater from or associated with a regulated small municipal separate storm sewer system ("MS4") to an MS4 or waters of the State other than groundwater. Discharges must meet the requirements of the General Permit and applicable provisions of Maine's waste discharge and water classification statutes and rules. Compliance with the General Permit authorizes a person to discharge stormwater, pursuant to 38 M.R.S.A. § 413. The General Permit authorizes direct discharges in those parts of Maine for which the Department has received delegated authority under the Federal NPDES program. Several key requirements of the General Permit are described below.

1.1.1 Stormwater Program Management Plan

The regulated MS4, hereinafter the "Town," shall develop, implement, and enforce a Stormwater Program Management Plan ("Plan") implementing six minimum control measures, set forth in Section H of the Permit, which are designed to reduce the discharge of pollutants within the Urbanized Area (UA), from its regulated small MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. Maximum extent practicable is generally a focus on pollution prevention and source control. Maximum extent practicable is an iterative process with an ultimate goal of protecting and improving water quality. For the purposes of the permit, narrative effluent limitations requiring implementation of BMPs are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reductions of pollutants to the MEP) and to protect water quality. The Plan and all Minimum Control Measures must be substantially implemented by June 30, 2013. The Town shall describe in its Stormwater Program Management Plan how it will reduce or eliminate polluted stormwater runoff to the maximum extent practicable within the UA, from its MS4.

1.1.2 Minimum Control Measures (MCM's)

The General Permit requires that for each MCM, the Town shall: define appropriate best management practices (BMPs); designate a person(s) responsible for each BMP; define a time line for implementation of each BMP; and define measurable goals for each BMP. The Minimum Control Measures to be included in the Plan are as follows:

- Public education and outreach on stormwater impacts
- Public involvement and participation
- Illicit discharge detection and elimination
- Construction site stormwater runoff control
- Post-construction stormwater management in new development and redevelopment

- Pollution prevention/good housekeeping for municipal operations

1.1.3 Evaluation and Assessment

As specified in Part IV(J)(1) of the General Permit, the Town shall evaluate program compliance, the appropriateness of identified best management practices, and progress towards achieving identified measurable goals.

1.1.4 Annual Reporting and Record Keeping

The Town shall keep records required by the permit for at least three (3) years following its expiration, or longer if requested by the Commissioner. The Town shall make records, including its Stormwater Program Management Plan, available to the public at reasonable times during regular business hours.

By September 1, 2009, and annually thereafter by September 1, the Town shall submit a report for the Department's review and approval to:

**Mr. David Ladd
Municipal/Industrial Stormwater Coordinator
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017**

The report must include the following.

- a. The status of compliance with permit conditions based on the Town's Plan, an assessment of the appropriateness of identified best management practices, progress towards achieving identified measurable goals for each of the Minimum Control Measures, and progress toward achieving to goal of reducing the discharge of pollutants to the MEP.
- b. Results of information collected and analyzed, including monitoring data, if any, during the reporting period.
- c. A summary of the stormwater activities the Town intends to undertake pursuant to its Plan during the next reporting cycle.
- d. A change in any identified BMPs or measurable goals that apply to the Plan.
- e. A summary describing the activities, progress, and accomplishments for each of the minimum control measures #1 through #6 (including such items as the status of education and out reach efforts, public involvement activities, stormwater mapping efforts, dry weather inspections, detected illicit discharges, detected illicit connections, illicit discharges that were eliminated, construction site inspections, number and nature of enforcement actions, post construction BMP status and inspections, and the status of the Town's good housekeeping/pollution prevention program.

Changes to the report based on the Department's review comment(s) must be submitted to the Department within 30 days of the receipt of the comment(s). If possible, the Town will provide an estimate of annual expenditures for permit compliance for the reporting period and projected budget for the following year.

1.1.5 Impaired Waters and Total Maximum Daily Load (TMDL)

If the waterbody to which a discharge drains is impaired and has an EPA approved TMDL, then the discharge must be consistent with the TMDL waste load allocation and any implementation plan. If a TMDL is approved or modified by EPA subsequent to the effective date of this General Permit, the Department shall notify the Town and may:

1. Require the Town to review its Plan for consistency with the TMDL, and propose any necessary modification to the Plan to be submitted to the Department within six months of the receipt of notification concerning the TMDL;
2. Issue a watershed-specific General Permit for the area draining to the impaired waterbody. The watershed-specific MS4 General Permit may reference parts of this General Permit; or
3. Require an individual permit.

Section 1.2 Basis of Plan Development

This Stormwater Program Management Plan was developed in accordance with the requirements of the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, which was issued by the Maine Department of Environmental Protection (DEP) on July 1, 2008. Per the General Permit, implementation of the six MCMs is required only within the urbanized area, as defined by the latest decennial (2000) census by the U.S. Bureau of Census, of the regulated small MS4.

SECTION 2 REGULATED MS4 INFORMATION

Section 2.1 Location Maps

The location map for the Town is included as Figure 2.2.

Section 2.2 Urbanized Area Map

The urbanized area map was developed from the U.S. Census Bureau Census 2000 Urbanized Area and Urban Cluster Data, and is included as Figure 2.3.

Section 2.3 Priority Watersheds

The Town's highest priority watershed is: Tannery Brook Watershed. The Tannery Brook Watershed is located in the "Gorham Village" and approximately half of its area is within the Urbanized Area. It has been a focus of concern in the past by the Cumberland County Soil and Water Conservation District.

The Presumpscot River is Gorham's second highest priority watershed. It includes area at the north end of Gorham's Urbanized Area to the east of Route 202 in the "Little Falls" area.

Figure 2.2

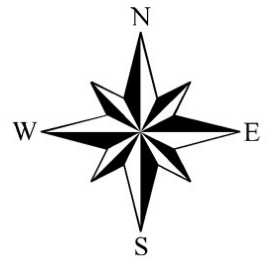
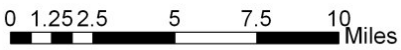
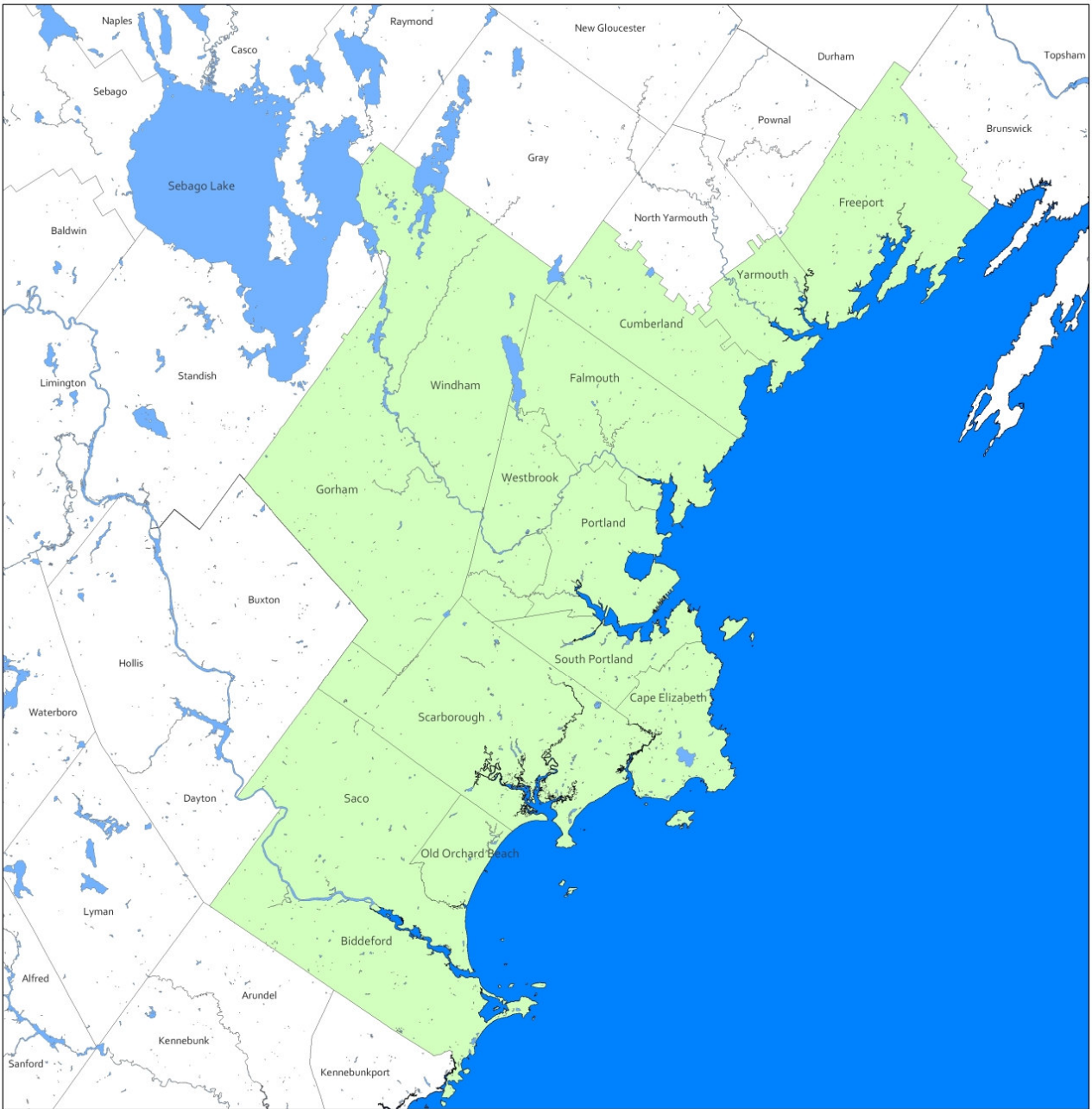


Figure 2.3

SECTION E MINIMUM CONTROL MEASURES

MCM 1 Public Education and Outreach

The Town of Gorham will fulfill the requirements for Public Education and Outreach through participation in the Interlocal Stormwater Working Group (ISWG) and the Town's provision of funding to the ISWG for Public Education and Outreach services, as described in this section of the plan.

MCM Goals

1. To raise awareness that polluted stormwater runoff is the most significant source of water quality problems for Maine's waters;
2. To motivate people to use Best Management Practices (BMPs) which reduce polluted stormwater runoff ; and
3. To reduce polluted stormwater runoff as a result of increased awareness and utilization of BMPs.

BMP 1.1 - Continue Awareness Outreach Efforts from the Previous MS4 Permit Cycle.

Measurable Goal 1.1.1 – In Permit Year 1, the ISWG will continue to provide a thinkbluemaine.org link on their individual municipal websites to raise awareness of stormwater issues.

Measurable Goal 1.1.2 – In Permit Year 1, the ISWG will continue to use the think blue Maine ducky logos in all YardScaping materials to reinforce the connection between lawn care activities and stormwater issues.

Measureable Goal 1.1.3 – In Permit Year 1, the ISWG will continue to provide informational material in municipal buildings to raise awareness of stormwater issues.

Reporting: documentation of available stormwater information on municipal website and list of display materials (fact sheets, brochures and display board) and location(s) for permit year one.

Responsible Party: Bob Burns, PE, Public Works Director in cooperation with ISWG Education Coordinator.

BMP 1.2 – Work with existing partners and seek out partners to help raise awareness of stormwater issues.

Measurable Goal 1.2.1 – During Permit Year 1, partner with thinkbluemaine, Casco Bay Estuary Partnership, Maine Board of Pesticide Control, Maine DEP and UMaine Cooperative Extension.

Measurable Goal 1.2.2 – By the end of Permit Year 2, investigate potential partnerships with organizations identified in the Awareness Plan to be developed in Permit Year 1.

Reporting – ISWG will list partners and cooperative activities that resulted in the dissemination of stormwater awareness messages.

Responsible party – ISWG Education Coordinator and Bob Burns, PE, Public Works Director.

BMP 1.3 – Develop and implement Stormwater Awareness Plan.

Measureable Goal 1.3.1 – In Permit Year 1, assess or utilize existing assessments of the target audience to document baseline level of awareness by which the implementation of the awareness plan can be measured.

Measureable Goal 1.3.2 – By March 2, 2009 submit a plan to raise awareness of stormwater issues such as the path stormwater runoff takes, sources of stormwater pollution and the impact that polluted stormwater runoff has in the community(s).

The plan will identify:

- a) the target audience
- b) the outreach tool(s) to be used
- c) the message
- d) the distribution system
- e) the time line and implementation schedule
- f) the person(s) responsible for implementation
- g) an impact evaluation protocol
- h) a plan modification protocol (this must include DEP approval of significant plan modifications)
- i) the goals (e.g., the targeted level of change sought as a result of the education and outreach effort; specific measurable goals for plan implementation).

Measureable Goal 1.3.3 – Unless DEP responds in writing or verbally otherwise, then as of July 1, 2009 the Awareness Plan is considered approved and implementation of the Stormwater Awareness Plan will begin including annual evaluations of process indicators and year three and five evaluations of both process and impact indicators as identified in the approved Awareness Plan.

Reporting: The Permit Year 1 annual report will document the target audience baseline level of awareness, the date draft and final Plan(s) were submitted to DEP, when the Plan was approved, and significant milestones to be reported in the remaining permit years. Permit Years 2 and 4 will report on the implementation of the Plan and process indicators; making sure to cover significant milestones and any changes made to the plan. Permit Year 3 the report will include a cursory evaluation and assessment on both the progress of implementing the Plan as well as the impact the efforts are having on the target audience. Permit Year 5 report will provide an in-depth assessment of both the implementation and impact of the Plan.

Responsible Party – ISWG Education Coordinator

Overall Schedule for Raising Awareness.

Year 1: By March 2, 2009, the plan will be submitted to the MeDEP for approval. By the end of Permit Year 1, the plan will be approved and ready for implementation.

Year 2: implement the plan and report process indicators.

Year 3: continue implementation, conduct cursory impact indicator evaluation and report both impact and process indicators.

Year 4: continue implementation and report process indicators.

Year 5: continue implementation, conduct impact indicator evaluation and do an in-depth 5-year assessment of the plan including both impact and process indicators.

BMP 1.4 - Continue Targeted Best Management Practices Adoption efforts from previous MS4 permit cycle.

Measureable Goal 1.4.1 – In Permit Year 1, the ISWG will continue to refine YardScaping materials, as needed, based on either new research or feedback from users; to offer YardScaping Adult Education classes to change lawn care practices and build local support for implementation of YardScaping practices; and develop and streamline the Point of Sale lawn care education program by incorporating lessons learned, developing new or refining existing promotional materials, offering YardScaping classes at Point of Sale locations, refining tracking methods for products and promotional materials, and building local networks for dissemination of YardScaping materials.

Reporting: The annual report will provide a list of events or occasions where ISWG provided YardScaping information or education, the MS4 audience, the number of people contacted, the date and, where applicable, the number of people who planned to implement changes in their lawn care practices. The report will also include evaluation: anecdotal or documented, as well as lessons learned.

Responsible party - ISWG Education Coordinator in cooperation with Bob Burns, PE, Public Works Director.

BMP 1.5 – Develop and implement BMP Adoption Plan

Measureable Goal 1.5.1 – In Permit Year 1, assess or utilize existing assessments of the target audience to document baseline level of action by which the implementation of the BMP Adoption Plan can be measured.

Measureable Goal 1.5.2 – By March 2, 2009 submit a plan to encourage targeted audience to adopt or practice specific BMPs that will reduce stormwater pollution. The Plan will include:

- a) The BMP
- b) The target audience
- c) The outreach tool(s) to be used
- d) The message
- e) The distribution system
- f) The time line
- g) The person(s) responsible for implementation
- h) An impact evaluation protocol
- i) A plan modification protocol
- j) The targeted level of change as a result of the outreach effort (specific measurable goals for plan implementation).

Measureable Goal 1.5.3 – Unless DEP responds in writing or verbally otherwise, then as of July 1, 2009 the BMP Adoption Plan is considered approved and

implementation of the Plan will begin including annual evaluations of process indicators and year three and five evaluations of both process and impact indicators as identified in the approved BMP Adoption Plan.

Reporting – The Permit Year 1 annual report will document the target audience baseline, the date draft and final plan(s) were submitted to DEP, when the Plan was approved, and significant milestones to be reported in the remaining permit years. Permit Years 2 and 4 will report on the implementation of the Plan and process indicators; making sure to cover significant milestones and any changes made to the Plan. Permit Year 3 the report will include a cursory evaluation and assessment on both the progress of implementing the Plan as well as the impact the efforts are having on the target audience. Permit Year 5 report will provide an in-depth assessment of both the implementation and impact of the Plan.

Responsible party - ISWG Education Coordinator and Bob Burns, PE, Public Works Director.

Overall Schedule for Targeted BMP Adoption.

Year 1: By March 2, 2009, the plan will be submitted to the MeDEP for approval. By the end of Permit Year 1, the Plan will be approved and ready for implementation.

Year 2: implement the Plan and report process indicators.

Year 3: continue implementation, conduct cursory impact indicator evaluation and report both impact and process indicators.

Year 4: continue implementation and report process indicators.

Year 5: continue implementation, conduct impact indicator evaluation and do an in-depth 5-year assessment of the Plan including both impact and process indicators.

BMP 1.6 –School Outreach

Measurable Goal 1.6.1 – In Permit Year 1, continue the incorporation and implementation of “It’s all connected” school curriculum in elementary and/or middle schools.

Measurable Goal 1.6.2 – In Permit Years 2 - 5, as funding permits, continue the incorporation and implementation of “It’s all connected” school curriculum in elementary and/or middle schools.

Reporting – Annual reports will include the total number of students reached, which schools were involved and the lesson topics that were covered.

Responsible party - ISWG Education Coordinator

MCM 2 PUBLIC INVOLVEMENT AND PARTICIPATION

The Town will fulfill the requirements for Public Involvement and Participation through participation in the Interlocal Stormwater Working Group (ISWG) and the Town's provision of funding to the ISWG for Public Involvement and Participation services, or through directly fulfilling the requirements, as described in this section of the plan.

MCM Goals:

1. Involve the public in both the planning and implementation process of improving water quality and reducing quantity via the stormwater program.

BMP 2.1 – Public Notice Requirement

Measureable Goal 2.1.1 – ISWG and/or its members will follow state and local Public Notice requirements for both ISWG and individual Stormwater Management Plans. Copies of the plans will be made available on the Maine DEP web site.

Measureable Goal 2.1.2 – ISWG and/or its members will follow state and local Public Notice requirements when involving stakeholders in the implementation of the Small MS4 General Permit.

Report – The annual report will describe compliance with public notice requirements including documentation of meetings and attendance, where applicable.

Responsible party – ISWG Stormwater Program Coordinator or Bob Burns, PE, Public Works Director.

BMP 2.2 - Host Public Events

Measurable Goal 2.2.1 – ISWG and/or the Town will annually host/conduct or participate in at least one public event such as storm drain stenciling, stream clean-up, household hazardous waste collection day, volunteer monitoring, neighborhood educational events, conservation commission outreach program, Urban Impaired Stream outreach program, or adopt a storm drain or local stream program). The target audience will be a segment of the urbanized area population the Town wishes to reach. The ISWG and/or the Town will consult with DEP to ensure the event will satisfy requirements.

Reporting - The annual report will include description of the event including estimated attendance/participation and an impact evaluation to assess effectiveness of the methods used to plan and host the event.

Responsible Party: ISWG Education Coordinator or Bob Burns, PE, Public Works Director.

MCM 3 Illicit Discharge Detection and Elimination

MCM Goals

1. Develop a watershed based storm sewer system infrastructure map;
2. Implement and enforce a non-stormwater discharge ordinance;
3. Develop and implement a prioritized dry weather outfall inspection plan; and
4. Develop and implement a strategy to detect any illicit discharges to the open ditch system within the Tannery Brook watershed.

For specific permit requirements and suggestions, refer to MDEP's General Permit for the Discharge of Stormwater from Small Municipal or State or Federally Owned Municipal Separate Storm Sewer Systems Part IV(H)(3).

BMP 3.1 – Develop a watershed based storm sewer system infrastructure map.

Measureable Goal 3.1.1 – At a minimum, the Town will review its respective storm sewer infrastructure maps and revise as necessary in Permit Year 1

Measureable Goal 3.1.2 – By the end of Permit Year 1, the Town will develop a schedule of targeted mapping percentages to be accomplished each permit year, including a target schedule for mapping in the Town's highest priority watershed, Tannery Brook.

Measureable Goal 3.1.3 – By the end of the Permit Year 5, the Town will develop a watershed based storm sewer system infrastructure map showing the location of all stormwater catch basins, connecting surface and subsurface infrastructure depicting the direction of in-flow and out-flow pipes, and the locations of all discharges from all stormwater outfalls operated by the Town. Each catch basin will be uniquely identified to facilitate control of potential illicit discharges, and to ensure proper operation and maintenance of the structures. For each outfall, the following information will be included: type, material, and size of conveyance, outfall or channelized flow (e.g. 24" concrete pipe); the name and location of the immediate surface waterbody or wetland to which the stormwater runoff discharges (or, if an outfall does not discharge directly to a named waterbody, the name and location of the nearest named waterbody to which the outfall eventually discharges.)

Reporting – Annual update of mapping efforts undertaken in the Permit Year.

Responsible Party – Bob Burns, PE, Public Works Director

BMP 3.2 – Adopt non-stormwater discharge ordinance.

Adopted and implemented ordinance on May 3, 2005.

Responsible Party – Bob Burns, PE, Public Works Director

Reporting - Documentation of illicit discharge incidents and municipal enforcement actions as a result of the adopted ordinance will be included in annual reports to DEP each year of the permit.

Responsible Party: Bob Burns, PE, Public Works Director.

BMP 3.3 – Develop dry weather outfall inspection program.

Measureable Goal 3.3.1 – By end of Permit Year 1, delineate the boundaries of the Tannery Brook watershed.

Measureable Goal 3.3.2 – By end of Permit Year 1, determine two highest priority sub-watersheds (discussed w/DEP prior to submitting Plan)

Measureable Goal 3.3.3 – By end of Permit Year 1, have SOP for dry weather outfall inspection program.

Measureable Goal 3.3.4 – By end of Permit Year 1, have forms and data collection system in place for dry weather outfall inspections.

Measureable Goal 3.3.5 – By end of Permit Year 1, have trained inspectors on how to conduct and record dry weather inspections.

Measureable Goal 3.3.6 – By end of Permit Year 1, develop and implement a policy/procedure or protocol that identifies the steps that must be taken when an illicit discharge is encountered.

Measureable Goal 3.3.7 – By the end of Permit Year 1, conduct dry weather outfall inspections in the two highest priority sub-watersheds.

Measureable Goal 3.3.8 – In Permit Years 2 - 5, conduct annual dry weather outfall inspections in additional sub-watersheds within the Tannery Brook and Presumpscot watersheds, such that by Permit Year 5, inspections are being conducted in all subwatersheds of the highest priority watershed, and in one or more subwatersheds of the second highest priority watershed. Note: document and make use of opportunistic inspections.

Reporting - Inspection results will be documented in a database management system or other recordkeeping system and a summary will be reported in annual reports submitted to the DEP.

Responsible Party: Bob Burns, PE, Public Works Director.

BMP 3.4: Open ditch Illicit Discharge Program

Measureable Goal 3.5.1 – During Permit Years 3 - 5, the Town will develop a strategy for detecting illicit discharges in their open ditch system within the Tannery Brook watershed.

Measureable Goal 3.5.2 – By the end of Permit Year 5, to the extent allowable under

State or local law, the Town will implement a strategy for detecting illicit discharges within its open ditch systems in the Tannery Brook watershed.

Reporting - Annual reports to DEP each year of the permit will include a status report on the development and implementation of the Open Ditch Illicit Discharge Program, including a description of the strategy to be employed, once developed. Note: reporting of illicit discharge detections and actions taken will be done under MCM 3, Goal 2, Non-Stormwater Discharge Ordinance.

Responsible Party: Bob Burns, PE, Public Works Director.

MCM #4 Construction Site Stormwater Runoff Control

Goals

Develop, implement, and enforce a program, to reduce pollutants in any stormwater runoff to the regulated small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. For specific permit requirements and suggestions, refer to MDEP's General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV(H)(4).

Per General Permit Part IV(H)(4a.), the Town will rely on the Maine Construction General Permit or Chapter 500, Stormwater Management.

BMP 4.1: Notification to construction site developers and operators of the requirements for registration under the Maine Construction General Permit or Chapter 500, Stormwater Management for the discharge of stormwater associated with construction activities;

Measurable Goal 4.1.1 – During Permit Year 1, continue notification procedures currently in place using the building permit and shoreland zoning applications that alert applicants to the MCGP triggers.

Measurable Goal 4.1.2 – by the end of Permit Year 1, evaluate current system and modify if necessary.

Reporting: Any system modifications will be summarized in our annual reports.

Responsible party: Bob Burns, PE, Public Works Director.

BMP 4.2 – Develop and implement a mechanism to annually document every construction activity that disturb one or more acres within the Urbanized Area.

Measurable Goal 4.2.1 – In Permit Year 1 implement a tracking system to record every activity that disturbs one or more acres. Note: this system must track and differentiate construction activities within UIS watersheds; the priority watershed(s) and all other watersheds. The system will be used to summarize data to be included in annual reports submitted to the DEP.

Reporting: Include in permit year one report the status of the tracking system. Implementation of the tracking system will be reported under the inspection action item.

Responsible party: Bob Burns, PE, Public Works Director.

BMP 4.3 – Develop and implement a construction site inspection program.

Measurable Goal 4.3.1 – By June 30, 2009, develop a procedure for construction site inspections by either a municipal official or a contracted third party to meet the terms and conditions of the MS4 General Permit.

Measurable Goal 4.3.2 – By June 30, 2009, develop a standardized inspection form to ensure documentation of all required inspections.

Measurable Goal 4.3.3 – By June 30, 2009, develop a process for tracking and notifying the site developer or contractor of noncompliance issues. For sites that are not in compliance, the inspector(s) will provide site operators with guidance on how to come into compliance. Sites that are not brought into compliance within the inspector's specified time period shall be issued a written notice of deficiencies. Continued noncompliance will be reported to the DEP with supporting documentation.

Measurable Goal 4.3.4 – By June 30, 2009, develop and implement (as needed) a training program for municipal inspectors.

Reporting - Inspection results will be documented in a database management system or other recordkeeping system and a summary will be reported in annual reports submitted to the DEP.

Responsible party - Bob Burns, PE, Public Works Director.

MCM 5 Post-Construction Stormwater Management

Goals (within the Urbanized Area)

- Develop a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the Town's MS4;
- Implement an ordinance or similar measure to ensure adequate long-term operation and maintenance of post construction BMPs;
- Ensure post construction BMPs are functioning as intended; and
- Document and report annually to the MDEP all applicable post-construction related information.

For specific permit requirements and suggestions, refer to MDEP's General Permit for the Discharge of Stormwater from Small Municipal or State or Federally Owned Municipal Separate Storm Sewer Systems Part IV(H)(5).

BMP 5.1 – Implement ordinance or similar measure

Measurable Goal 5.1.1 - Evaluate the reliance on Chapter 500 or local post construction requirements. In Permit Year 1 the ISWG members will determine if they will rely on the State permit process (Chapter 500) for the installation of post construction BMPs.

Measurable Goal 5.1.2 – In Permit Year 1 the Town will adapt the model ordinance or other DEP approved measure to meet its desired format.

Measurable Goal 5.1.3 – By the end of Permit Year 1, the Town will enact a post construction discharge ordinance or similar measure that ensures long term operation and maintenance of post construction BMPs.

Measurable Goal 5.1.4 – In Permit Years 2 - 5 the Town will implement the post construction ordinance.

Reporting – In Permit Year 1, the Town will report on the adoption of the post construction ordinance or similar measure. In Permit Year 2-5, the Town will report on the status of implementation of the post-construction ordinance or similar measure.

Responsible Party: Bob Burns, PE, Public Works Director.

BMP 5.2 – Develop and implement an inspection program for post-construction BMPs for which the owner or operator has not hired a qualified third party inspector, and which are located in the direct watershed of a lake most at risk from new development or in watersheds of an urban impaired stream.

Measurable Goal 5.2.1 – The Town will develop an inspection program, including procedures, protocols, forms, recordkeeping, and training within one year of ordinance adoption.

- 1-10 post construction sites: inspect at least one site, or 40% (whichever is

- greater)
- 11-30 post construction sites: inspect at least four sites or 30% (whichever is greater)
- 31-60 post construction sites: inspect at least nine sites or 25% (whichever is greater)
- 61-100 post construction sites: inspect at least fifteen sites or 20% (whichever is greater)
- 101-160 post construction sites: inspect at least twenty sites, or 17% (whichever is greater)
- Over 160 post construction sites: inspect at least twenty seven sites or 11% (whichever is greater)

Measurable Goal 5.2.2 – In Permit Years 3-5 the Town will implement the inspection program and document all inspection results. The Town will also conduct yearly evaluations of the program and modify as necessary.

Reporting - Documentation of all inspections will be entered into a database management system or other recordkeeping system for tracking and annual reporting to DEP. Statewide inspection forms are being developed and implemented in 2008 to facilitate consistency of data collected and to maximize the efficiency of the database management system. Information to be collected includes:

- The cumulative number of sites that have post construction BMPs discharging into the Town's MS4;
- A summary of the number of sites that have post construction BMPs discharging into the Town's MS4 that were reported to the municipality;
- The number of sites with documented functioning post construction BMPs; and
- The number of sites that required routine maintenance or remedial action to ensure that the post construction BMP is functioning as intended.

Responsible Party: Bob Burns, PE, Public Works Director

MCM 6 Pollution Prevention/Good Housekeeping for Municipal Operations

This program has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

MCM Goals

- Develop an inventory of all municipal operations conducted in, on, or associated with facilities, buildings, golf courses, cemeteries, parks and open space owned or operated by regulated MS4s that have the potential to cause or contribute to stormwater or surface water pollution.
- Develop and implement written operation and maintenance procedures for its highest priority watershed that includes maintenance schedules and inspection procedures to ensure long term operation of structural and non-structural controls that reduce

stormwater pollution to the maximum extent practicable.

- Develop and implement operation and maintenance procedures for the remaining watersheds within the Urbanized Area.
- Prevent the accumulation of sediment by developing a program to sweep all publicly accepted paved streets and publicly owned paved parking lots as well as cleaning catch basins and other stormwater structures.
- Develop a SWPPP which will outline sources of potential stormwater pollutants and the methods by which these pollutants will be reduced or prevented from entering Waters of the State.

For specific permit requirements and suggestions, refer to MDEP's General Permit for the Discharge of Stormwater from Small Municipal or State or Federally Owned Municipal Separate Storm Sewer Systems Part IV(H)(6).

BMP 6.1 Operations at municipally owned grounds and facilities.

Measurable Goal 6.1.1 – By the end of Permit Year 1 the Town will develop an inventory of all municipal operations conducted in, on, or associated with facilities, buildings, golf courses, cemeteries, parks and open space owned or operated by the Town that have the potential to cause or contribute to stormwater or surface water pollution.

Measurable Goal 6.1.2 – By the end of Permit Year 2, the Town will develop and implement written O & M procedures for its highest priority watershed that includes maintenance schedules and inspection procedures to ensure long term operation of structural and non-structural controls that reduce stormwater pollution to the maximum extent practicable.

Measurable Goal 6.1.3 – By the end of Permit Year 3, the Town will develop and implement O & M procedures for the remaining watersheds within the Urbanized Area.

Measurable Goal 6.1.4 – As per the MS4 GP requirements the O&M Plan must at a minimum address:

- Alternative Products
- Automobile Maintenance
- Hazardous Materials Storage
- Landscaping and Lawn Care
- Parking Lot and Street cleaning + Roadway/Bridge maintenance
- Pest Control
- Road Salt Application and Storage
- Spill Response and Prevention
- Storm Drain System Cleaning
- Vehicle Washing
- Vehicle Fueling System

Reporting - Annual reports to DEP each year of the permit will include a status report on the development of the inventory and the development and implementation of the O & M procedures.

Responsible Party: Bob Burns, PE, Public Works Director

BMP 6.2 Municipal employee training.

Measurable Goal 6.2.1 – By end of Permit Year 3 identify training needs and materials.

Measurable Goal 6.2.2 –During Permit Years 4 and 5 implement municipal employee training program to reduce stormwater pollution potential from municipal operations. Topics to be covered by the training program may include, but not be limited to:

- a. Maintenance activities, maintenance schedules, and long-term inspection procedures for structural and non-structural stormwater controls to reduce pollutants discharged from the separate storm sewers.
- b. Controls for reducing or eliminating the discharge of pollutants into the separate storm sewers from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations, snow disposal areas, and waste transfer stations.
- c. Procedures for disposing of waste removed from the separate storm sewers and areas listed above in accordance with all regulatory requirements (such as dredge spoil, accumulated sediments, floatables, and other debris).

Reporting - Annual reports to DEP each year of the permit will include a status report on the development of the training program and number of employees trained.

Responsible Party: Bob Burns, PE, Public Works Director

BMP 6.3 Street sweeping.

Measurable Goal 6.3.1 – Each permit year the Town will continue a program to sweep all publicly accepted paved streets and publicly owned paved parking lots maintained by the Town at least once a year as soon as possible after snowmelt.

Reporting - Annual reports to DEP each year of the permit will include a status report on street sweeping.

Responsible Party: Bob Burns, PE, Public Works Director

BMP 6.4 Cleaning of stormwater structures including catch basins.

Measurable Goal 6.4.1 – Each permit year the Town will continue, or develop and implement, a program to evaluate and, if necessary, clean catch basins and other stormwater structures that accumulate sediment at least once every other year and dispose of the removed sediments in accordance with current state law. The Town will clean catch basins more frequently if inspections indicate excessive accumulation of sediment. Excessive accumulation is greater than or equal to 50 percent filled.

Reporting - Annual reports to DEP each year of the permit will include a status report on cleaning of stormwater structures.

Responsible Party: Bob Burns, PE, Public Works Director

BMP 6.5 Maintenance and upgrading of stormwater conveyances and outfalls.

Measurable Goal 6.5.1 – In Permit Year 1-2 evaluate and implement a prioritized schedule, as necessary, for repairing or upgrading the conveyances, structures and outfalls of the Town’s MS4.

Reporting - Annual reports to DEP each year of the permit will include a status report on the maintenance and upgrading of stormwater conveyances and outfalls.

Responsible Party: Bob Burns, PE, Public Works Director

BMP 6.6 – Stormwater Pollution Prevention Plans (SWPPP’s)

Measurable Goal 6.6.1 - In permit Year 1 the Town will inventory all public works facilities, transfer stations, and school bus maintenance facilities operated by the Town within its regulated area, with the exception of any facilities regulated under Maine’s Industrial Stormwater Program and determine which facilities have existing SWPPPs.

Measurable Goal 6.6.2 - The Town will develop and implement SWPPPs for each applicable facility by the end of Permit Year 2. In Permit Years 3 - 5 the Town will continue to implement its facility SWPPPs. The Town will collaborate with DEP on developing a training program to provide to municipal facility staff informing them on the requirements of the SWPPP and how to effectively implement their plans.

Reporting - Annual reports to DEP each year of the permit will include a status report on the development of the SWPPP’s.

Responsible Party: Bob Burns, PE, Public Works Director

**SECTION 4
GENERAL REQUIREMENTS**

Section 4.1 Required Signature

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature

Date

Title

Section 4.2 Plan Availability

This Plan will be retained by the Town's chief elected official or principal executive officer for the duration of the permit period and copies will be available and retained by municipal officials or employees responsible for implementation of the Plan. The Town will make a copy of the Plan available to the following immediately upon request:

- a.** The Commissioner of the Department;
- b.** In the case of a regulated small MS4 adjacent to or interconnected with the Town's storm sewer system, to the operator of that regulated small MS4; and
- c.** In the case of a regulated small MS4 stormwater discharge to a water supply watershed, to the public water supply company.

APPENDICES

A. Notice of Intent