



SMSWG MEETING VIA ZOOM - NOTES

Wednesday July 29, 2020 1-2:30 pm

Attendees:

Berwick – James Bellissimo, Director of Community Development & Planning (left mtg at 2:14pm)
South Berwick – Perry Ellsworth (Town Manager) – left mtg at 1:17pm
Eliot – Steve Robinson, Sara Castellez
PNSY – None
Kittery – Jessa Kellogg
MaineDOT – Kerem Gungor
MTA – None
SMPDC – Abbie Sherwin
York – Leslie Hinz
Maine DEP – None
Integrated Environmental Engineering, Inc. – Kristie Rabasca
GZA – Aimee Mountain

1. Attendee Updates: (Organizational, COVID-19, and anything else)
 - a. James B. – Carly Stella is now with the Fire Department, new public works contact is Cole McIntire, Town dedicated a new park, town office is open and back to fairly normal.
 - b. Steve/Sara – town hall is mostly back to normal with safety precautions.
 - c. Jessa – Public Works is still closed to the public. Public works crew is focusing on stormwater maintenance projects: replacing and repairing catch basins, drainage and paving, etc. No major projects underway.
 - d. Kerem – Taylor has moved to a new position and Peter Newkirk is back to help temporarily, Peter has started updating the MS4 maps, Kerem is mostly working from home, only authorized to work in the office 2 days a week.
 - e. Aimee for MTA – front lobby is open to public, things are mostly back to normal.
 - f. Abbie – Maine Coastal Program Grant for model ordinance was funded and should be up and running in Sept., SMPDC has hired a new assistant planner
 - g. Leslie – Home 3 days a week, in the office Mondays (stormwater) and Fridays (code enforcement), Public Works is finishing up drainage at Route 1 on the new connector road, Leslie put together stormwater outreach kits pre-lunch kids
 - h. Kristie – still working from home and going out when needed
 - i. Perry – Jon St. Pierre no longer works for the Town, Perry is temporarily handling Public Works and Amy is busy filling in for Jon - needed to log-off (Left meeting after update).
2. Permit Renewal Update – 6/23/2020 DEP 11th Draft provided with meeting notice. This draft from the DEP addresses EPA comments. A statewide comment letter was submitted 7/10/2020 (29 comments, 9 pages). Partners signing on to the comments included: MMA, DOT, MTA, ISWG, SMSWG, BASWG, AVSWG. G. Wood emailed that he will review the comments with R. Poirier on 7/29/2020 (today). Other commenters

included FOCB. Major changes to this version of the permit, which we commented strongly on included:

- a. DEP pushed the NOI/SWMP deadline to 12/1/2020. But also moved Permit Year 1 to September. (Comment asked to return permit years to coincide with fiscal years – provided two options: extend PY8 to end of August or have a PY9).
 - b. New language requiring incorporation of Low Impact Development into municipal ordinances, (comment asked to return to current permit language, which requires that we promote LID, not require it in ordinances). Permit language did not include deadline/timeline to get this done, nor any detail about how to get this done. MA and NH permits provided communities 3 years to update their ordinances for LID.
 - c. New language on Stormwater Pollution Prevention Plans (much of which does not apply to municipalities),
 - d. New impaired waters requirements for waters with EPA approved Total Maximum Daily Loads (TMDLs) without much guidance on what those actions should be – this would affect SMSWG communities because they have MS4 discharges listed in the Bacteria TMDL (Salmon Falls River, DMR Areas 1-5) and listed in individual TMDLs: Salmon Falls River and Piscataqua River Estuary 1999. (see 01_Table_Statewide_TMDLS_2020_07_08.xlsx). Maine has historically focused MS4 action on UIS watersheds, which makes sense because DEP has done a lot of work to determine the stressors for these streams and has identified urban stormwater runoff as contributing to the impairment. Jessa Kellogg pointed out that the Spruce Creek Watershed Management Plan covers bacteria, and is a large DMR area. Cape Neddick WMP covers portions of its DMR area. If the MS4 Permit language stands, requiring MS4s take action on these impairments, the Towns will have to add some BMPs to their SWMP, and will need to be careful when applying for 319 grants (cannot use the 319 money to implement portions of the Watershed Management Plans we have written into the 5-year Stormwater Management Plan for permit compliance). The following link provides the areas covered by the DMR <https://www.maine.gov/dmr/shellfish-sanitation-management/maps/index.html> KLR updated the table of impaired waters to list the Watershed Management Plans. Also note that DMR has changed the numbering designations since the TMDL for bacteria was issued, and has reflected this in the attached updated table. KR has reached out to DMR to ask about the numbering system.
3. Annual Report Review –
- a. KLR has sent out requests to most towns for any information that is missing from the report.
 - b. Report is ~70% complete.
 - c. Due to DEP 9/15/2020.

- d. Town Managers will need to certify this report. Please let me know if you need this earlier than 9/1/2020. (Hoping to be done well before that). (York Town Manager may be on vacation those two weeks and will check and get back to KLR. Other Towns were fine this schedule.)
 - e. We reviewed the spreadsheet showing the updated status (which changes daily). Are there any “extra activities” you want to take credit for (training, stenciling, working with schools, working with DMR, etc.). Please send them along (some of you have already). Eliot asked about non-Urbanized area work, which we do not report on.
4. Stormwater Management Plan – (see attached SWMP)
- a. MCM 1 and 2 – I have been updating the plan to reflect our Awareness and Behavior Change audiences, messages, tools and effectiveness evaluations:
 - i. Awareness General Public Audience (statewide)
 - ii. Awareness Municipal Staff/Boards
 - iii. Behavior Change Littering – Smokers audience (cigarette butts)
 - iv. Behavior Change Littering – pet owners audience (pet waste)
 - b. KR developed a listing of locations that have issues for each target audience, we need to truth this. KR is anticipating that DEP will ask for a local baseline, so we want to use your local knowledge to develop the observational data we need. We will review the list after we discuss the BMPs that we have developed.
 - c. Would like to send this list off to anyone in town you think would like to review/contribute (Eliot and SB Conservation Commissions and York Surf Riders). So as we review the list, please keep this in mind.
 - d. KLR reviewed draft SWMP section BMP 1.3 – Change Behavior – Litter reduction smokers and pet owners
 - i. Introductory part Includes rationale(s) for choosing litter as behavior change target
 - ii. The Group reviewed different ideas for messaging and items to logo – no significant changes were requested.
 - iii. Jessa Kellogg asked if there would be an opportunity for individuals to chime in on litter issues in their neighborhoods. KR said this is the kind of thing we will be doing on social media.
 - iv. KR will be trialing the Litterati Ap, which provides a crowd sourcing of litter observations and removal tracking. There is a 6 minute Ted talk by Jeff Kirschner who created the Ap, which can be found here: https://www.ted.com/speakers/jeff_kirschner. KLR will create a baseline challenge for the ap, which could provide us with our baseline local data for the BMP.
 - v. Lots of options to choose from but we want to word the SWMP such that we don’t limit our options too much
 - vi. The group reviewed the table listing the locations to collect baseline litter data – Eliot stated they do not have any pet waste or cigarette butt issues at any of the sites listed, and did not want to add any roads or

SMSWG Update – 7/29/2020

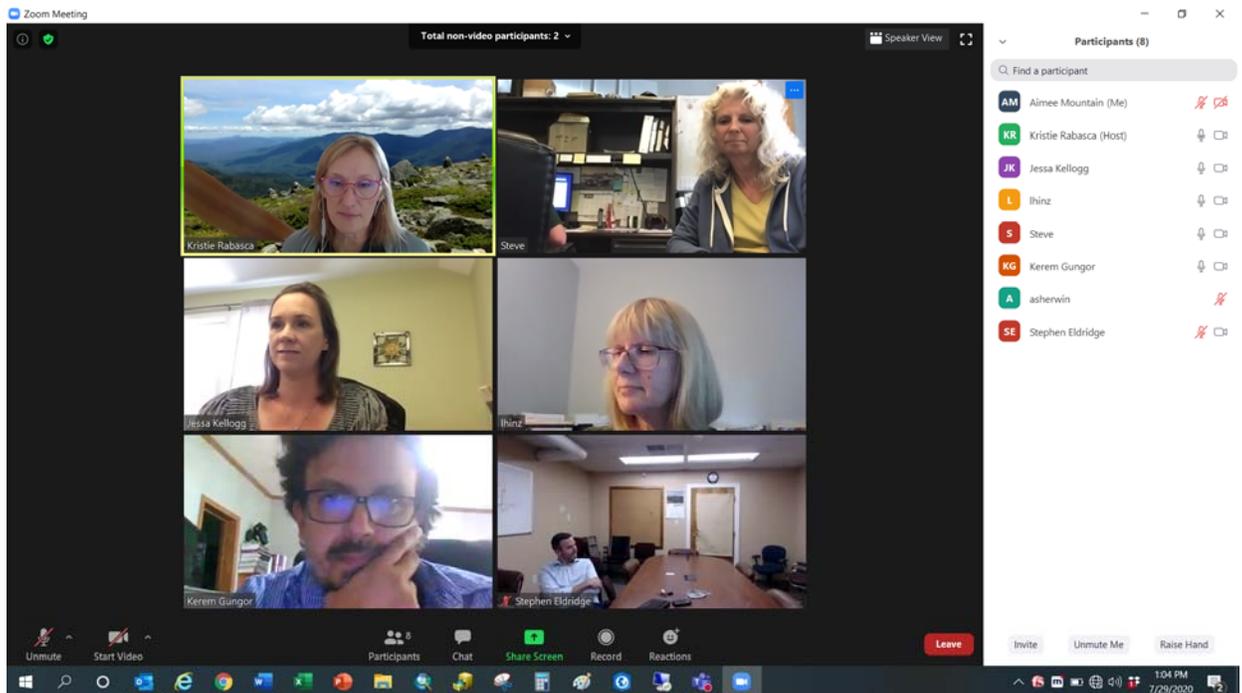
other areas to the list. KR will send the list to the Conservation Commission to double check. KR will also send the list to the South Berwick Conservation Commission and public works to double check it. Kittery added a few key locations, and will check with the Parks personnel for issues, York refined their list and will also check with Parks and Rec, who do the litter removal.

- e. KR briefly reminded the group that all SMSWG Planning Boards are now aware that there will be ordinance change requirements as part of the next permit and also aware of the grant funding to assist with these changes
 - f. KR asked the group to send any additional requests for Tools, and we can incorporate them into the SWMP.
5. Meeting adjourned at 2:20pm

Next Meetings: (last Wednesday of Jan, Mar, May, July, Sept, Nov)

Wednesday September 30, 2020 – Via Zoom again? Yes, let's do Zoom again

Thought this was a cute screen shot of most participants:



MS4 Waters listed in TMDLS that have been issued and approved by EPA in Maine as of 7/30/2020

MS4	Bacteria TMDL (2009 and 2013 Addendum)	Impervious Cover TMDL (2012)	TMDLs for Individual Waters (date issued in parentheses).	Urban Impaired Streams (Chapter 502)
Biddeford	Thatcher, Saco River and Saco Bay (Bacteria only)	Thatcher Brook		Thatcher
Cape Elizabeth	DMR Area 13		Trout Brook (inc. Kimball Brook, S. Portland only) (2007)	Trout Brook
Cumberland	DMR Area 14-A Piscataqua River (but			
Falmouth	DMR Area 14-A Piscataqua River (but removed from 303(d) list in 2016)		Highland Lake (TMDL 2003, removed from 303(d) list in 2010), Presumpscot River (1998)	
Freeport	Frost Gully, DMR Area 17-B	Concord Gully, Frost Gully		Concord Gully, Frost Gully
Gorham	Mosher			
Old Orchard Beach	Goosefare Brook	Goosefare	Goosefare Brook (2003)	Goosefare
Portland	DMR Area 14	Capisic, Dole, Nasons (trib to Fore River), including wetland complexes at all three streams.	Presumpscot River (1998)	Capisic, Dole, Nasons, Fall, Long Creek (separate Permit)
Saco	Goosefare, Bear Brook, Saco River, Sawyer, Tappan, DMR Area 8AA		Goosefare Brook (2003)	Goosefare
Scarborough	DMR Area 11	Phillips, Red		Phillips, Red

MS4 Waters listed in TMDLS that have been issued and approved by EPA in Maine as of 7/30/2020

MS4	Bacteria TMDL (2009 and 2013 Addendum)	Impervious Cover TMDL (2012)	TMDLs for Individual Waters (date issued in parentheses).	Urban Impaired Streams (Chapter 502)
South Portland		Kimball, Red	Trout Brook (inc. Kimball Brook, S. Portland only) (2007) Barberry Creek (2007)	Trout (inc. Kimball), Barberry, Long (sep. permit), Red
Westbrook	Inkhorn Brook, Otter Brook, Pleasant River, Presumpscot	Capisic, Nasons	Highland Lake (TMDL 2003, removed from 303(d) list in 2010)	Capisic, Nasons
Windham	Inkhorn Brook, Black Brook, Colley Wright Brook, Otter Brook, Pleasant River from Thayer Brook to confluence with Presumpscot		Highland Lake (TMDL 2003, removed from 303(d) list in 2010), Presumpscot River (1999)	
Yarmouth	DMR Area 16			
Auburn	Logan, Androscoggin, Little Androscoggin	Logan Brook	Androscoggin River (Gulf Island Pond (2005 and 2010))	Logan
Lewiston	Jepson, Stetson, Gully, No Name, Hart (aka Dill) and Goff, Androscoggin	Hart (aka Dill including Goff)	Androscoggin River (Gulf Island Pond (2005 and 2010))	Hart, Jepson
Lisbon				Unnamed Stream (Route 196)
Sabattus			Sabattus Pond (2004)	
Bangor	Kenduskeag Stream, Penobscot Riv.	Arctic, Capehart, Shaw, Sucker	Birch Stream (2007)	Penjawoc (inc. Meadow Brook), Birch, Capehart, Arctic, Shaw, Sucker Brooks
Brewer	Penobscot Riv.			
Hampden		Shaw, Sucker		Shaw, Sucker
Milford	Penobscot River, Otter Brook			
Old Town	Penobscot River			
Orono	Penobscot River			
Veazie				

MS4 Waters listed in TMDLS that have been issued and approved by EPA in Maine as of 7/30/2020

MS4	Bacteria TMDL (2009 and 2013 Addendum)	Impervious Cover TMDL (2012)	TMDLs for Individual Waters (date issued in parentheses).	Urban Impaired Streams (Chapter 502)
Berwick	Salmon Falls River		Salmon Falls River (1999)	
Eliot	DMR Area 1 (new DMR Area 1-A)		Piscataqua River Estuary (1999)	
Kittery	DMR Area 1 (new DMR Areas 1-A, 2-A-A1, and 3-A1)			
South Berwick	Salmon Falls River, DMR Area 1 (new DMR Area 1-A)		Salmon Falls River (1999), Piscataqua River Estuary (1999)	
York	DMR Areas 1B, 2, 2A, 2B, and 3 (new DMR Areas 3-A1, 3-C.1, 3-B1, and 4)			

Notes: From USEPA Approved TMDLs available at <https://www.epa.gov/tmdl/region-1-approved-tmdls-state#tmdl-me>

Maine DEP has a draft GIS map showing the locations of impaired waters (with and without TMDLs) at: <https://maine.maps.arcgis.com/apps/webappviewer/index.html?id=dffb3d2b85904b18978d02fc9d913b5f>

List needs to be confirmed by MS4s.
(non-MS4) indicates a water is listed in the TMDL, but the MS4 does not discharge into the water.

Non-Point Source TMDL (2016) does not have any Waste Load Allocation for MS4s, only Load Allocation for non-MS4 discharges.

DMR Areas are shown <https://www.maine.gov/dmr/shellfish-sanitation-management/maps/index.html> however, DMR appears to have re-numbered the areas since the TMDL was written. Areas numbers shown first are reflect the TMDL numbering, the new DMR Area numbers are shown in parentheses.

Watershed Management Plan?
Thatcher (2015)
Trout (inc. Kimball Brook 2012)
No
No
Concord Gully (2013 Watershed Survey)
No (Applied for WMP funding in 2018 and 2019 but funding was declined because DEP stated not a priority issue).
Goosefare (2016)
Capisic (2012), CFUPs: Capisic, Dole, Fall, Nasons
Goosefare (2016)
Red (2011)
Phillips (2018)

Watershed Management Plan?
Trout (inc. Kimball 2012) Red (2011)
Capisic (2012)
Pleasant River (2011) Highland Lake (2020)
Hart
Penjawoc, Birch, Capehart, Arctic

Watershed Management Plan?
Spruce Creek WMP covers a portion of new DMR Area 2-A-A1.
Cape Neddick WMP covers a portion of new DMR Area 4