

**TOWN OF CUMBERLAND
STORMWATER PROGRAM MANAGEMENT PLAN
PERMIT YEAR 2 ANNUAL REPORT
JULY 1, 2009 TO JUNE 30, 2010**

Prepared for:

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1.0 INTRODUCTION

The Town of Cumberland, Maine currently maintains a General Permit for Discharge of Stormwater from a Small Municipal Separate Storm Sewer System (“General Permit”) for the Urban Area of Cumberland (See Figure 1) that authorizes the direct discharge of stormwater from, or associated with, a regulated small municipal separate storm sewer system (“MS4”). As part of the General Permit, Cumberland is required to develop, implement and enforce a Stormwater Program Management Plan (“Plan”) that implements six Minimum Control Measures (MCM’s). Besides evaluating the effectiveness of the Plan on a regular basis, the Town must submit an Annual Report to the Maine Department of Environmental Protection (MEDEP) on September 1st of each year that provides documentation of the Town’s activities in implementing the Plan.

This document, prepared on behalf of the Town of Cumberland by Oak Engineers, is intended to satisfy the Town of Cumberland’s obligation under the annual reporting requirements for Permit Year Two (PY2) for which the reporting period is July 1, 2009 to June 30, 2010. It should also be noted that the Town of Cumberland requested a deadline extension for its Annual Report submission from the MEDEP in August, 2010. The deadline for submission of the Town’s PY1 report was requested to be October 1, 2010.

It should be noted that PY2 continued to be a challenge for the Town of Cumberland in regards to stormwater program management. While the Town has an excellent track record during the first General Permit cycle and accomplished a tremendous amount of work in this time frame, the Town continued to suffer budget cuts and staff downsizing, particularly in operational staff. The Town also experienced another change in program leadership with the exodus of the Town’s second Public Works Director in as many years. While challenged from both a budgetary and staffing standpoint, the Town still strove to meet its obligations under their Stormwater Program Management Plan with generally good success notwithstanding a missed step or two.

During the Permit Year 2 reporting period, the Town of Cumberland was able to perform a significant number of IDDE outfall inspections in not only their priority watershed, (both their highest and next most highest prioritized sub-watershed), but also on several outfalls in their coastal watershed, which is the Town’s second highest prioritized watershed. The work in the coastal watershed included water quality sampling in addition to outfall inspections on at least three dates in the PY2 reporting period. The Town’s sampling efforts, being conducted in conjunction with the Department of Marine Resources (DMR), is ongoing in the PY 3 as well.

It should be noted that the work performed in the coastal watershed is supported not only by Town staff, but also by a citizen committee made up of Town staff, elected officials and area residents. Although the Committee’s prime focus is to address impacts to the shellfish beds in the Town, the Committee Team members recognize the importance of a watershed approach on a Town wide basis. As such, the Committee has tasked a sub-committee to work on stakeholder outreach throughout the Town to address non-point source pollution and raise awareness of this issue. Town staff has been fully engaged in supporting the committee both in some financial capacity as well as the use of staff resources. It is anticipated that these efforts will augment the work the Town is doing on the Stormwater Program Management Plan.

During the reporting period, the Town of Cumberland was able to assign specific personnel the responsibility for performing stormwater tasks at their respective work site facilities. While the Director of Operations maintains overall responsibility for the program as stipulated in the Stormwater Program Management Plan, specific field tasks are assigned to individuals with the goal being ownership of those items. By instilling a sense of ownership by individual employees and ensuring staff continuity for the tasks, it is anticipated that the Town will have an easier time scheduling and ultimately performing each required task in the appropriate time frame. This will also provide for uniformity of each work task ensuring that things are done the same and with the required detail throughout the reporting period.

The Town also provided substantial employee training during the reporting period, especially for those folks assigned specific stormwater program work tasks. This training included refresher training on performing and documenting IDDE outfall inspections as well as outfall characterizations with both classroom and field hands on training. The Town, through the ISWG and MDEP, provided specific SWPPP training for staff members. This full day exercise which was attended by Cumberland operational staff included classroom and hands on field training in implementing a facility Stormwater Pollution Prevention Plan.

2.0 MINIMUM CONTROL MEASURES (MCM'S) 1 TO 6

2.1 MCM 1 Public Education and Outreach Responsible Party: ISWG Education Coordinator

The goals of MCM 1 are as follows:

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.

2.1.1 BMP 1.1 to BMP 1.6

The Town of Cumberland, through the Interlocal Stormwater Working Group (ISWG) Education Coordinator, provided public education and outreach to Cumberland residents, businesses and community groups. The work completed during the reporting period is documented in a report forwarded to the MEDEP previously by the ISWG Education Coordinator and is included here by reference. A complete copy is included in Appendix A of this report.

2.2 MCM 2 Public Involvement and Participation Responsible Party: ISWG Education Coordinator and the Director of Operations.

The goals of MCM 2 is to involve the public in both the planning and implementation process of improving water quality and reducing quantity via the stormwater program.

- 2.2.1 **BMP 2.1 Public Notice Requirement:** Both Cumberland's Permit Year 1 Annual Report and Stormwater Program Management Plan are posted on the MEDEP's website as well as Cumberland's website. Cumberland maintains a record of public meeting minutes on their website, and this pertains to stormwater issues as well. These can be reviewed at the Town's website at www.cumberlandmaine.com. The Town provides substantial information to the Public via the website that helps the community be involved in stormwater management.

For example, Cumberland's Stormwater tab of the Public Works webpage provides resources for the proper disposal of old pesticides and herbicides, information in the proper use of pesticides and herbicides; the proper disposal of yard waste; options for the proper disposal of House Hold Hazardous Waste and Universal Waste; literature about the care, function and maintenance of septic systems as well as links to yardscaping outreach programs and of course the www.thinkbluemaine.org website.

- 2.2.1 BMP 2.2 Host Public Events: Cumberland did not host a public event during the reporting period. Typically Cumberland hosts a House Hold Hazardous Waste collection event for residents at least once per year, which is an excellent opportunity to protect receiving waters from the effects of improperly disposed of household chemicals. Due to continued budget cutbacks and the state of the economy, the Town was unable to fund this service in the FY' 10 budget.

As an alternative, the Town again attempted to coordinate with Fred Dillon, formerly of FB Environmental to provide a public presentation of the *West Branch Piscataqua River Watershed Survey Report, September 2008* prepared by the Presumpscot River Watch, the Cumberland County Soil and Water Conservation District and the Maine DEP. It was anticipated that besides the public event, the presentation would be recorded and aired on the Cumberland public access cable channel. Due to scheduling conflicts the Town was unable to schedule the target audience; hence this event did not occur in the reporting period. It is anticipated that this event will be scheduled for PY3.

The Town also attempted to provide catch basin stenciling in conjunction with their catch basin cleaning operations. It was anticipated that the equipment operator performing the catch basin cleaning could quickly and easily stencil the drain while on site. It appeared that this may be a relatively effective method for ensuring stenciling efforts were conducted in a timely fashion, since the operator would be able to capture all basins in an organized fashion without relying on volunteer efforts. Cumberland procured the required stenciling materials and was planning on employing this method. Unfortunately it turned out that this was not as effective as anticipated.

Cumberland is currently working with a citizen's committee to implement a stenciling program to renew the existing paint in the urban area. It is also desirable to provide stenciling to the several new catch basins that were installed during the past construction season. It is anticipated that the Town will attempt to organize a stenciling event during PY3.

It should also be noted that the Town, through the Shellfish Conservation Commission Chair, issued an open letter to Cumberland Residents regarding what they could do to minimize stormwater runoff impacts. A copy of this letter is attached in Appendix N.

- 2.3 MCM 3 Illicit Discharge Detection and Elimination Responsible Party: Director of Public Services, Director of Planning and Oak Engineers

The goals of MCM 3 are as follows:

1. Develop a watershed based storm drain 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 each MS4's highest priority watershed.

- 2.3.1 BMP 3.1.1 to 3.1.3 Develop a watershed based storm sewer system infrastructure map: During the previous permit cycle Cumberland embarked on an intensive effort to map the storm drain system in the Urban Area and has essentially completed the required mapping. The mapping system is a GIS based mapping system that geo-references structures and outfalls as well as maintains a database of the pertinent features of the system, such as structure type, size and location, outfall location, size and material type, pipe type, size and flow direction.

However, the mapping must be updated on a regular basis to reflect capital improvements and changes that occur to the system during the reporting period. During the reporting period there were no significant infrastructure improvements or changes required in the Urban Area's primary watershed. However, a significant amount infrastructure was added to the Route 88 area of Cumberland. While not in the priority watershed, this new infrastructure is in the Coastal watershed, Cumberland's second priority watershed. Once the as-built drawings have been completed, this information will be electronically added to the Town's mapping database. Other storm drain infrastructure improvements were also added to the Town's mapping as well, such as several projects in the East Cumberland area off Route 88, such as Maeve's Way and Mary's Lane.

It should also be noted that once the new storm drain infrastructure is accepted by the Town, the data is added to the Town's cleaning and maintenance schedule for CB cleaning as part of the spring cleanup operations.

- 2.3.2 BMP 3.2.1 to 3.2.3 Adopt a Non-Stormwater Discharge Ordinance: The Town of Cumberland adopted the required ordinance on July 27, 2009. A copy of the ordinance is included in Appendix B of this report.

- 2.3.3 BMP 3.3.1 to 3.3.8 Develop Dry Weather Outfall Inspection Program:

2.3.3.1 As noted in the Town's Stormwater Program Management Plan, Cumberland's priority watershed is the East Branch Piscataqua River (EBPR). Essentially this watershed encompasses the majority of the Urban Area from Main Street (Route 9) to about 600 feet (at Tuttle Road) and to about 1,200 feet (at Greeley Road) westerly of Middle Road. The remainder of the Urban Area drains easterly across Middle Road and Interstate 295 to Casco Bay.

2.3.3.2 The Town has delineated the EBPR watershed into manageable sub-watersheds to aid in performing dry weather inspections. The two highest priority sub-watersheds have been determined to be PISC 3: Hedgerow Drive to Greeley Road Area (See Figure 2) and PISC 1: Greeley High School Area (See Figure 3). The Town has also delineated additional sub watersheds that have been prioritized for inspections in future permit years.

2.3.3.3 The Town has developed a Standard Operating Procedure (SOP) for Dry Weather Outfall Inspections. A copy of this SOP is included in Appendix C. This SOP clearly outlines to process for providing inspections within the Town's Urban Area. The SOP details the proper inspection protocols, required inspection forms, required recordkeeping and more importantly, defines what corrective action and notification is required when deficiencies are discovered. It should be noted that the SOP is also a living document and will be reviewed and updated as required.

2.3.3.4 The Town of Cumberland has opted to utilize Guidelines and Standard Operating Procedures for Stormwater Phase II Communities in Maine, Volume 1: Information for Program Managers; and Guidelines and Standard Operating Procedures for Stormwater Phase II Communities in Maine Volume 2: Standard Operating Procedures and Forms for data collection as stipulated in the Dry Weather Outfall Inspection SOP. The Town has opted to utilize paper forms and a three ring binder system for managing and storing the inspection information.

Considering the size of Cumberland's Urban Area and the number of outfalls that are currently monitored, this type of system is adequate for the next few years. However, it is still anticipated that the Town will be exploring utilizing a GIS based database system to track inspections and other salient data for the program as funding comes available.

2.3.3.5 The Town of Cumberland through Oak Engineers provided training to Town employees who were assigned the responsibility of performing outfall inspections. On July 13, 2009, a field training exercise was provided to five (5) employees where actual field inspections were conducted in the highest priority watershed such that each employee could gain experience in how to complete the form, what to look for and what to do if a violation is discovered. A copy of attendance records and training agenda is included in Appendix D.

2.3.3.6 The procedure for addressing a suspected illicit discharge is outlined in the Dry Weather Outfall Inspection SOP. Please see section 2.3.3.3 and Appendix C.

2.3.3.7 During the reporting period the Town of Cumberland conducted 28 dry weather outfall inspections in both the first and second priority sub-watersheds of the EBPR watershed. Inspections were conducted on July 13, 2009, March 17, 2010 and March 19, 2010. As part of these inspections no illicit discharges were found. However, one failed culvert was noted for future action. It should also be noted that Town staff did perform field inspections of outfalls from the second priority watershed, Coastal Drainage, as part of an ongoing monitoring program for shellfish protection. This work was conducted in conjunction with the Department of Marine Resources as well as the Cumberland Shellfish Conservation Commission. During the PY2 reporting period the Town of Cumberland and its partners captured three (3) different sets of water quality samples from five (5) discrete sample outfall points and tested all samples for coliform bacteria.

These sample dates were February 16, 2010, April 6, 2010 and May 24, 2010. The Town also performed additional mapping and inspection activities on June 8, 2010 in the Coastal Watershed.

As part of this ongoing sampling effort, the Town and its partners also provided cursory inspections of the shoreline outfalls and documented perceived issues as a result. It is anticipated that the Department of Marine Resources (DMR) and the Town will continue the sampling effort throughout the summer of 2010. The Town of Cumberland is working with the DMR to expand the existing sampling program twofold to provide additional water quality data sets to help define and mitigate problems in this important watershed. The Town is working to obtain the data results of the sampling effort and will forward this data under separate cover when received.

2.3.3.8 The Town will conduct additional outfall inspections in the next higher priority watersheds as per the Stormwater Program Management Plan. It is anticipated that the Town will conduct IDDE inspections in sub-watersheds PISC 2 (Farwell Avenue to Hillcrest Drive) and PISC 4 (Meadow Lane to Catalpa Lane) in PY3. PISC 2 and PISC 4 are the next two most priority sub-watersheds in the EBPR watershed.

2.3.4 BMP 3.4.1 and 3.4.2 Open Ditch Illicit Discharge Detection Program: This BMP is not applicable in the PY2 reporting period.

2.4 MCM 4 Construction Site Stormwater Runoff Control Responsible Party: Code Enforcement Officer, Director of Planning and Oak Engineers

The goal of this MCM is to 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 MEDEP's General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV(H)(4).

2.4.1 BMP 4.1.1 AND 4.1.2 Developer Notification of Chapter 500 Stormwater Management: The Town of Cumberland provides notification to each developer on the permit application form in addition to verbal notification during the application submission. During the PY2 reporting period the Town staff provided no notifications for projects that occurred in the urban area. Essentially there were no building permits that were received by the Town in the Urban Area, hence no notifications were provided. The Town continued to evaluate the effectiveness of the current notification system and it was determined that the current procedure provides adequate notification to developers and operators of sites within the Urban Area as well as the remaining areas of the Town. A sample Building Permit has been included in Appendix G. The Town also maintains a library of available information and handouts for contractors and developers as well. Several examples are included in Appendix H.

- 2.4.2. BMP 4.2.1 Develop and implement a mechanism to annually document every construction activity that disturbs one acre or more of area within the Urbanized Area: The Town of Cumberland has opted to track the documentation of construction activity greater than one acre in the Urban Area via a spreadsheet system. As part of the Town's permitting process, every application that is received is reviewed by staff and the pertinent data entered into the spreadsheet tracking system. As site inspections are performed, the tracking spreadsheet is updated by staff. It is anticipated that there will be relatively few sites that meet the minimum threshold of one acre of disturbed area; hence the spreadsheet tracking method will be adequate for the time being. It is also anticipated that the Town will investigate the possibility of utilizing a GIS database tracking system in the future as funding becomes available. A copy of the Tracking Spreadsheet is included in Appendix I.

During the PY2 reporting period the Town staff documented one project meeting the threshold of one acre of disturbance that occurred in the urban area. This specific project happened to be a Town road reconstruction project encompassing several thousand feet of Route 88; which is in the Coastal Watershed of the Urban Area. The Town's design consultant developed the required permitting for the project and provided support to the Town during construction activities in addition to Town staff oversight. The Town ensured that appropriate erosion and sedimentation control measures were installed and maintained as appropriate by the contractor performing the construction.

- 2.4.3. BMP 4.3.1 to 4.3.4 Develop and implement a construction site inspection program:

2.4.3.1 The Town of Cumberland currently tracks development and construction activities through the Code Enforcement Officer as well as third party engineering firms retained to provide engineering review services and periodic field inspection services. This activity is tracked and managed by the Code Enforcement Officer via the Tracking Spreadsheet. Typically construction sites are inspected on a regular basis by third party engineering firms as well as Town staff. Site inspections are performed prior to significant rain events as well as during milestone events during construction, such as prior to the start of construction activities to ensure erosion control measures and storm water BMP's are in place, during utility construction, and other critical points in the project construction. During the PY2 reporting period there was one construction sites that disturbed one acre or more within the Urban Area. During the PY2 reporting period there were twenty-three (23) inspections performed within the Urban Area, including the Route 88 project and several other smaller development projects finishing up within the Coastal watershed, such as Mary's Way and Maeve's Way. During the Permit Year 2, there were several large development projects under construction in Cumberland that were outside of the Urban Area. Although not covered by the Town's Stormwater Program Management Plan, these areas were inspected as defined by the plan. During the reporting period twenty-three (23) inspections were performed on a large development project that was under construction in West Cumberland outside the Urban Area. This represents a significant reduction from PY1; which is due to the fact that the developments under construction are nearing completion and there were no new projects started.

- 2.4.3.2 The Town of Cumberland developed a standard inspection form to provide documentation of site inspections that are performed within the Urban Area and Town wide. This form is used by Town staff and third party inspectors when conducting construction site inspections within the Town. A sample of this form is included in Appendix E.
- 2.4.3.3 The Town uses the following procedure to track and notify developers and contractors of non-compliance issues and guidance for coming into compliance. Currently the Town uses a spreadsheet to track and notify developers of non-compliance issues. Typically, minor non-compliance issues that are discovered as part of the inspection process are discussed with the Contractor or responsible party immediately and a remediation plan of action developed for immediate implementation. In most cases this is sufficient to address the issue. For significant issues or failure to make the required remediation results in the issuance of a Notice of Violation that is tracked and followed up via spreadsheet. The Town currently issues the standard ten (10) day Notice to Cure as well as “Stop Work” order as required. During the PY2 reporting period the Town issued zero Notice of Violations for projects in the Urban Area. A sample of the Town’s tracking spreadsheet is included in Appendix J.
- 2.4.3.4 The staff that performs site inspections for the Town of Cumberland is the Town’s CEO, the Town Manager or professional staff from third party engineering firms. Currently, the Town Manager is a Maine licensed professional engineer experienced in erosion and sedimentation control and the staff of the third party engineering firms are supervised by Maine professional engineers. The Town’s CEO, Mr. William Longley, received a Certificate of Completion in Controlling Construction Site Runoff in April of 2006. In the PY2 reporting period, Mr. Longley completed continuing education in the following topics: “Maintenance and Inspection of Stormwater BMP’s”, “Certification to Serve as Local Plumbing Inspector”, “Certification to Serve as Code Enforcement Officers for Building Standards, Shore land Zoning and Land Use”, “Vernal Pool Workshop”, “Residential Building Inspections, Plumbing Inspections, Mechanical Inspections and Electrical Inspections” and “2009 IRC Update” Copies of Mr. Longley’s certificates of completion are included in Appendix K.

2.5 MCM 5 Post Construction Stormwater Management Responsible Party: Code Enforcement Officer and Director of Planning.

The Goals of this Minimum Control Measure are to 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 permittee’s MS4 as well as implement an ordinance or similar measure to ensure adequate long-term operation and maintenance of post construction BMPs. In addition this MCM is intended to ensure post construction BMPs are functioning as intended and to document and report annually to the MEDEP all applicable post-construction related information.

2.5.1 2BMP 5.1.1 to 5.1.4 Implement Post Construction Stormwater Management Ordinance

2.5.1.1 The Town of Cumberland has determined that it will rely on the State permit process for the installation of post construction BMP's.

2.5.1.2 The Town of Cumberland adapted the Model Ordinance to Town format requirements and cross referenced existing Town Ordinances to provide the required regulation of sites in the Urban Area. The adapted ordinance was not substantially changed from the model ordinance and essentially meets the requirements of BMP 5.1.2.

2.5.1.3 The Town Council adopted the Post Construction Storm Water Management Ordinance on September 14, 2009. A copy of the ordinance is included in Appendix F.

2.5.1.4 The Town has implemented the new ordinance during PY2. During PY2 there were no developments in the Urban Area that triggered this MCM, hence there were no inspections or reporting required.

2.5.2 BMP 5.2.1 and 5.2.2 Develop and implement and inspection program for post construction BMP's for which Owners or Operators have not hired a third party inspector:

This BMP does not apply to the Town of Cumberland since the Urban Area does not contain a lake at risk or an urban impaired stream.

2.6 MCM 6 Pollution Prevention/Good Housekeeping for Municipal Operations. Responsible Party: Director of Public Services, Oak Engineers

The goals of MCM 6 are as follows:

- 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.

2.6.1 BMP 6.1.1 to 6.1.4 Operations at Municipally Owned Grounds and Facilities:

2.6.1.1 The Town of Cumberland conducted an inventory of municipal operations within the Urban Area that have the potential to cause or contribute to stormwater pollution. The results of the inventory include the Public Works Garage Facility (including the Town's transfer station operations) on Drowne Road, the SAD 51 Bus Maintenance Facility also on Drowne Road, Twin Brook Maintenance Facility on Tuttle Road and the Valhalla Golf Course Maintenance Facility on Valhalla Road. The inventory list is included in Appendix M.

2.6.1.2 The Town developed and implemented written Operations and Maintenance (O&M) procedures for identified facilities in the EBPR watershed during PY2. Each O&M procedure was distributed to the respective facility staff as required. Copies of the O&M procedures for each facility are included in Appendix O.

2.6.1.3 The Town will develop and implement written Operations and Maintenance (O&M) procedures for identified facilities in the Coastal Drainage watershed during PY3. No activities were required during the PY2 reporting period

2.6.1.4 As required by the General Permit the O&M procedure plan will address alternative products, automobile maintenance, hazardous materials storage, landscaping and lawn care, parking lot and street cleaning, roadway and bridge maintenance, pest control, road salt application and storage, spill response and prevention, storm drain system cleaning, vehicle washing and vehicle fueling system.

2.6.2 BMP 6.2.1 and 6.2.2 Municipal Employee Training:

2.6.2.1 During the PY2 reporting period the Town of Cumberland provided several training opportunities to municipal staff including IDDE hands on training as well as classroom and hands on training for Storm Water Pollution Prevention Plans (SWPPP). Although not required until PY3, the Town was able to implement some of this training early. It is anticipated that substantial additional training will be implemented in future Permit Years. Appendix D contains documentation of the training that occurred during PY2.

2.6.2.2 Under this BMP no activities were required during the PY2 reporting period

- 2.6.3 BMP 6.3.1 Street Sweeping: Public Services swept all roads within the Town as soon as weather conditions allowed following winter operations. Public Services also swept all municipal parking lots/paved area and the MSAD51 parking/paved areas as soon as weather conditions allowed following winter operations. Sweeping operations recovered 369 cubic yards of sand from road and parking/paved areas. The Town used both straight sand and sand/salt mix. In addition, the Town also applied rock salt in some areas of high traffic volume. At the time of this reports submission, the Town was still collecting data on the volume of material used during the winter of 2009/2010. Once this information is finalized, the Town will submit an amendment to Section 2.6.3 detailing the volume of material used.

It should also be noted that sweeping operations started in February of 2010 and were complete by April 20th. Based on Department records, the Town swept up approximately 76% of winter sand collected prior to the end of March. By collecting this material as early as possible after snowmelt, less sand is deposited in the Town's storm drain and ditch system; and ultimately receiving waters. The Town's aggressive approach to sweeping is providing very good implementation of this BMP.

- 2.6.4 BMP 6.4.1 Catch Basin Cleaning: The Town cleaned 378 catch basins Town wide during PY2 reporting period. Residuals collected totaled 20.3 cubic yards. Catch basins installed during new construction will be added to the maintenance schedule for next year. This includes several basins in the Coastal Drainage Urban Area as well as new infrastructure in West Cumberland.
- 2.6.5 BMP 6.5.1 Maintenance and Upgrade of Stormwater Conveyances and Outfalls: The Town of Cumberland maintains a Capital Improvement Program (CIP) that is used to plan for significant capital purchases or upgrades by the Town on a long term basis. The CIP includes programmed funding for road and stormwater projects throughout the Town based on prioritized need and available funding and is updated on a periodic basis. It should be noted that during the PY2 reporting period the Town embarked on a large drainage project in and adjacent to the Coastal Watershed of the Urban Area. This work included substantial improvement to the Route 88 corridor involving new road improvements such as paving and stormdrain infrastructure upgrade from the Falmouth Town line to Schooner Ridge Road. The Town also performed the several other capital improvements to public infrastructure that were considered a priority Town wide.

The Town also continued the planning and capital improvement recommended in the Stormwater Management Report for Greely Road Extension, which the Town uses to prioritize and manage stormwater runoff issues in this drainage basin that flows to the Piscataqua River tributary. The Town also constructed significant stormdrain improvements in West Cumberland including on going storm drainage improvement in the Range Road corridor. The new infrastructure included new catch basins in some cases for sediment control as well as new plunge pools and erosion stabilization BMP's to the new system inlets and outfalls.

2.6.6 BMP 6.6.1 and 6.6.2 Stormwater Pollution Prevention Plans (SWPPP's):

2.6.6.1 During PY1 the Town of Cumberland inventoried the Public Works Facilities, Transfer Stations and School Bus Maintenance Facilities within the regulated area and initially determined that none of the regulated facilities currently maintain SWPPP's, which was reported in the PY1 report. The facilities reviewed include the Public Works Facility and Bus Maintenance Facility on Drowne Road and the Town Transfer Station which is also co-located on Drowne Road. Following this initial review effort by Town staff, it was discovered that the Town did indeed have SWPPP's on file for the Val Halla Maintenance Facility and the Cumberland Public Works/MSAD 51 Vehicle Maintenance Facility on Drowne Road. It is suspected that during the change in Public Works administration over the past few years, the hard copies of the SWPPP documents were lost or misplaced and the institutional knowledge of their existence was lost. After discovering a reference to Cumberland's SWPPP documents in a defunct engineering consultant's marketing materials, Oak and the Town were able to locate and obtain the electronic document files in the archives of the legacy consultant that purchased the original authoring consultant. Once the files were obtained, Oak was able to generate additional copies of the SWPPP's. As a side note, Oak was also able to obtain an electronic copy of Cumberland's Spill Prevention, Control and Countermeasure Plan for the Drowne Road Facility.

2.6.6.2 During PY2 the existing SWPPP files were fabricated and redistributed to their respective facilities as required. It should also be noted that Town staff from each facility attended refresher training sponsored by the MDEP regarding the implementation of SWPPP's.

It should also be noted that Cumberland's SWPPP's are somewhat dated; having been developed in 2003. It is anticipated that during the PY3 reporting period, the existing SWPPP's will be reviewed and updated as needed to ensure that the existing plans remain effective in mitigating any potential stormwater pollution from the sites as per their intent.

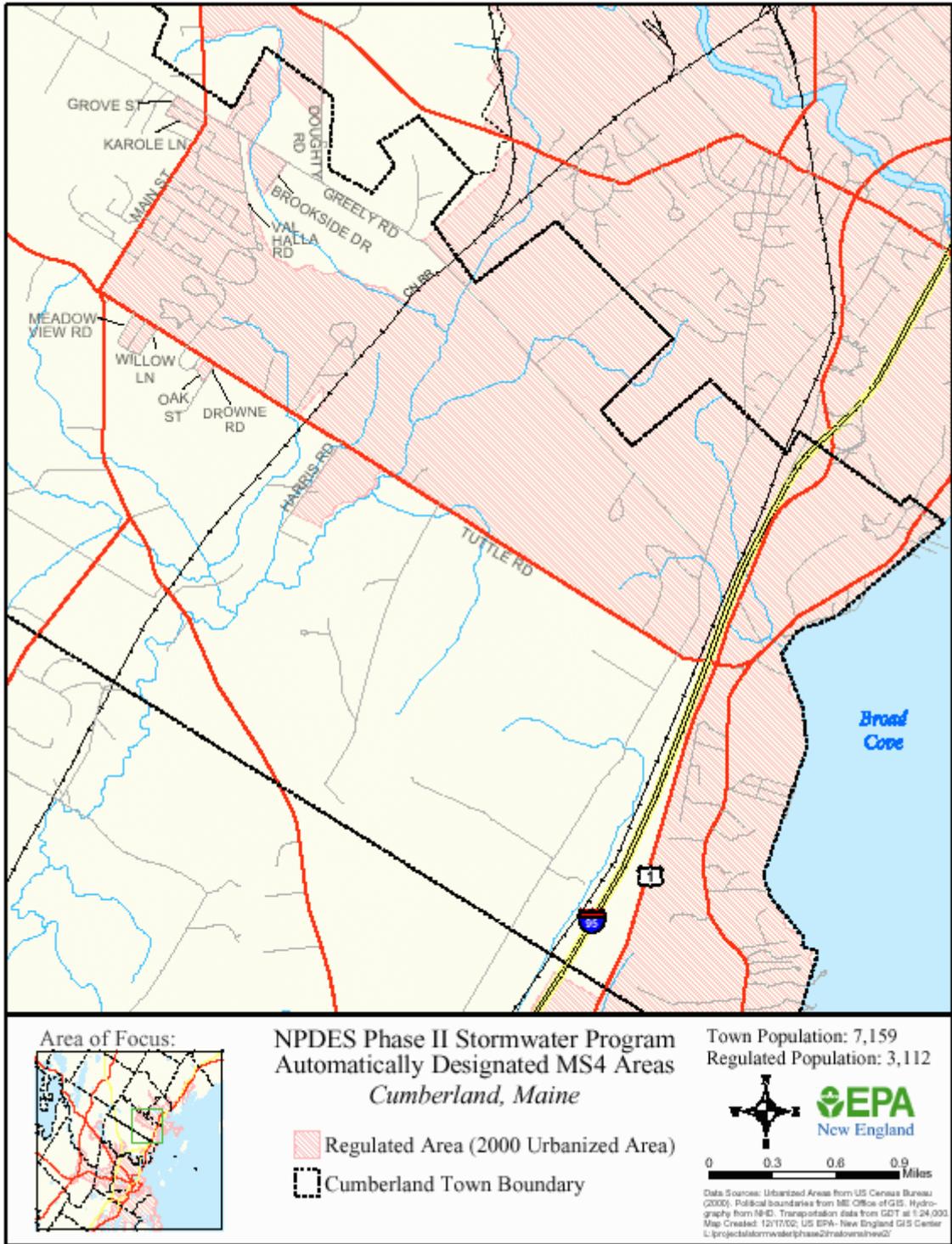


Figure 1: Cumberland, Maine Urbanized Area

Legend

 Watershed Boundary

Notes

1. Watershed delineations based on 5 foot contour interval mapping provided by the Town of Cumberland
2. Some features are approximate in location and scale
3. This plan has been prepared for the Town of Cumberland. All other uses are not authorized unless written permission is obtained from Oak Engineers

Scale and Orientation



Prepared For

Town of Cumberland
290 Tuttle Road
Cumberland, Maine

Site Address

Watershed: PISC03
Hedgerow Drive to
Greely Road Area

083025 | Oct 2009

Figure 2





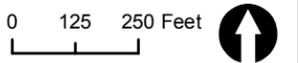
Legend

 Watershed Boundary

Notes

1. Watershed delineations based on 5 foot contour interval mapping provided by the Town of Cumberland
2. Some features are approximate in location and scale
3. This plan has been prepared for the Town of Cumberland. All other uses are not authorized unless written permission is obtained from Oak Engineers

Scale and Orientation



Prepared For

Town of Cumberland
290 Tuttle Road
Cumberland, Maine

Site Address

Watershed: PISC01
Greely High School
Area

083025 | Oct 2009

Figure 3

APPENDIX A

ISWG Coordinator Report

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

APPENDIX A:

Permit Year 2 Summary of Minimum Control Measure 1

Stormwater Awareness Plan Implementation

Outreach Tool	Status	Details
Exposure - to be in compliance, implement A1 and one activity utilizing printed media (A2, A3 or A4) or other activity (A6).		
A 1 - Run the ducky ad for 3 weeks	complete	The ducky ad ran on local television stations from August 10th through August 28th. The ad's estimated reach was 99% and frequency was 6.2.
A2 - Distribute posters at municipal offices, libraries, local hotspots (coffee/sandwich shops)	complete	Each ISWG community received 39 "Follow the Flow" posters, which were distributed throughout their community.

Retention - to be in compliance, implement B1 & B2; no additional activities required.		
B1 - prominent links established on municipal and partner websites	complete	All websites for ISWG communities feature a link to www.thinkbluemaine.org .
B2 - article in local newspaper and/or town newsletter	complete	A press release about "following the flow" of spring runoff was submitted to the following publications: <i>Northern Forecaster</i> (Freeport, Yarmouth, Falmouth & Cumberland), <i>Portland Daily Sun</i> (Portland), <i>Southern Forecaster</i> (Cape Elizabeth, South Portland & Scarborough), <i>Independent</i> (Windham), <i>American Journal</i> (Gorham & Westbrook), <i>Courier</i> (Biddeford, Saco & OOB)

Acceptance - no implementation of acceptance measures required for compliance in Permit Year II.

Stormwater Managers' Toolbox - CCSWCD developed stormwater managers' toolbox on behalf of the 28 regulated communities.		
Develop toolkit - poster, brochure, door hangers, print ads, PowerPoint presentation, and storm drain stencil (at a minimum)	complete	All outreach materials are available in the watershed managers' toolbox on www.thinkbluemaine.org
Compile partner network contact list (water districts, NGOs, conservation commissions, etc.)	complete	CCSWCD staff compiled a list of partners for each MS4 cluster/area. The list was distributed to MS4s in May. The individual communities/clusters/areas are now responsible for maintaining their list.
Coordinate media buy for the ducky ad	complete	CCSWCD staff worked with Burgess Advertising to coordinate the ducky media campaign. All MS4 communities contributed to the buy.
Refine awareness materials and tracking mechanisms, coordinate printing.	complete	New awareness materials were developed and existing materials were refined; CCSWCD staff tracked web hits on the www.thinkbluemaine.org website (an increase in hits was seen when the ducky ads were running); printing of the "Follow the Flow" posters was coordinated by CCSWCD, and posters were distributed to MS4 clusters/areas in September 2009.
Refine website toolbox	complete	New and updated outreach materials were uploaded to the www.thinkbluemaine.org toolbox as they became available.

Best Management Practices Adoption Plan Implementation

Task	Status	Details
Reporting		
Summarize plan implementation to date	complete	

Point of Sale

Enlist additional stores into the YardScaping Point of Sale program (goal is 21 stores in 14 ISWG communities)	complete	Eleven of the 14 ISWG communities now have Point of Sale locations. The exceptions include Biddeford (the two stores contacted declined the invitation to participate), Cape Elizabeth (no relevant retail locations in this community) and Old Orchard Beach (the store contacted initially said they were interested but failed to follow through with numerous attempts to meet). There are currently 19 Point of Sale locations in the ISWG communities, distributed as follows:
		Biddeford: 0
		Cape Elizabeth: 0
		Cumberland: 1
		Falmouth: 2
		Freeport: 1
		Gorham: 2
		Old Orchard Beach: 0
		Portland: 2
		Saco: 1
		Scarborough: 2
		South Portland: 3
		Westbrook: 1
		Windham: 1
Yarmouth: 3		
Program tracking	complete	CCSWCD staff requested sales information from all point of sale stores. Please see the summary of sales information below.

Adult Education

Offer a minimum of six adult education classes per year	complete	South Portland: 8/4/09, lunch & learn at National Semiconductor, 20 participants
		Scarborough: 9/9/09, class cancelled due to low registration
		Yarmouth: 9/16/09, seven participants
		Cape Elizabeth: 9/23/09, class cancelled due to low registration
		Buxton Garden Club (includes members from Gorham, Saco & Scarborough): 10/8/09, 11 participants
		South Portland Garden Club: 10/14/09, 19 participants
		Scarborough: 3/24/10, seven participants
		Gorham: 4/7/10, class cancelled due to low registration
		Old Orchard Beach: 4/14/10, eight participants
Windham: 6/9/10, eight participants		
Promote adult education classes	complete	Press releases publicizing the available classes were submitted to local publications, additional information was published on CCSWCD's YardScaping website and in local adult education brochures. Point of sale partner stores also posted fliers advertising the classes in their stores.

Task	Status	Details
Track behavior change	complete	CCSWCD staff documented class evaluations and contacted past adult education class participants to determine which YardScaping practices were implemented. Please see summary of behavior change reported by participants of PY1 classes, as well as those practices participants of PY2 classes intend to implement, below.

Targeted Information Distribution

Distribute information to priority neighborhoods (minimum of 50-100 households in size) in each ISWG community.	complete	YardScaping information was distributed throughout priority neighborhoods in each ISWG community. The following number of households received information:
		Biddeford: 62
		Cape Elizabeth: 56
		Cumberland: 74
		Falmouth: 51
		Freeport: 50
		Gorham: 131
		Old Orchard Beach: 88
		Portland: 537
		Saco: 87
		Scarborough: 58
		South Portland: 57
		Westbrook: 67
		Windham: 50
Yarmouth: 61		

Websites & Free Media

maintain CCSWCD YardScaping website	complete	CCSWCD maintained the YardScaping website and tracked hits. Increased hits were seen after targeted neighborhood outreach efforts, storm drain stenciling events, and the Portland Flower Show.
Newspaper coverage of YardScaping activities and healthy lawn care	complete	<i>Portland Press Herald</i> : After disappointing season, partnership will sow wildflowers in the snow (November 9, 2009)
		<i>Portland Press Herald</i> : Film on pesticides worth being seen by all Mainers (January 18, 2010)
		<i>Portland Press Herald</i> : New ideas on nourishing the lawn (February 28, 2010)
		<i>Portland Press Herald</i> : For a bloomin' beautiful Maine garden this season, go native, of course (March 28, 2010)
		<i>The Forecaster</i> : Saving the environment, one chemical-free lawn at a time (March 11, 2010)
		<i>Portland Press Herald</i> : Green wave washes over America's backyards (May 16, 2010)
		<i>Portland Press Herald</i> : Talk about peer pressure: It's a bug-eat-bug world out there today (May 30, 2010)
		<i>Portland Press Herald</i> : Landscaping with a desire for a healthy planet (June 20, 2010)

Neighborhood YardScape Socials

Hold a minimum of zero neighborhood socials in the ISWG communities	complete	No neighborhood socials were done this permit year.
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Point of Sale – Program Tracking

During the fall of 2009, CCSWCD staff requested sales information from the 13 point of sale partner stores. Only three stores were equipped to provide the sales information requested. Below is a summary of the relevant sales information from Freeport True Value, Goff’s Hardware and Drillen Hardware.

		Units sold		
Freeport True Value		2007	2008	2009
	Weed & Feed	46	33	30
	Low Maintenance Seed	35	37	41
Goff's Hardware				
	Weed & Feed	32	30	30
	Low Maintenance Seed	27	27	32
	Corn Meal Gluten	0	1	2
Drillen Hardware				
	Weed & Feed	41	39	40
	Low Maintenance Seed	49	44	53
	Corn Meal Gluten	4	7	9
	Bagged Compost	32	33	36

While there seems to be a slight declining trend in the sale of weed and feed products and an increase in the sale of YardScape recommended products, it is unclear if these trends can be associated with YardScaping outreach efforts.

Adult Education – Behavior Change Tracking

During the fall of 2009, CCSWCD staff made follow up phone calls with participants of YardScaping adult education classes held in the fall of 2008 and spring of 2009 (PY1 who provided their contact information on class evaluations in order to determine the level of follow through of the YardScaping practices class participants intended to use. As expected, it was difficult to reach people. But the information gleaned from those who were reached provided an anticipated rate of compliance for the YardScaping practices that class participants intended to implement.

Follow up from Permit Year 1 YardScaping Classes			
Lawn Care Practice	Plan to implement	Implemented practice	% behavior change
Set Mower to a height of 3"	42	42	100.0%
Leave grass clippings	27	25	92.6%
Sharpen mower blades	35	31	88.6%
Aerate	58	33	56.9%
Topdress	63	37	58.7%
Overseed	63	37	58.7%
Use low maintenance seed	67	52	77.6%
Get a soil test	62	42	67.7%
Use nitrogen-only fertilizer	54	37	68.5%
Use compost tea	47	16	34.0%

Follow up phone calls are made six months to a year after the class to allow participants a growing season to implement the recommended practices. Below are the results of the post-class evaluations completed by the YardScaping class participants.

Permit Year 2 YardScaping Class Statistics			
Lawn Care Practice	Plan to implement	Currently do not implement	% planning to implement
Set Mower to a height of 3"	19	19	100.0%
Leave grass clippings	15	19	78.9%
Sharpen mower blades	20	20	100.0%
Aerate	34	41	82.9%
Topdress	35	47	74.5%
Overseed	35	36	97.2%
Use low maintenance seed	43	45	95.6%
Get a soil test	35	44	79.5%
Use nitrogen-only fertilizer	37	44	84.1%
Use compost tea	33	49	67.3%

CCSWCD staff will contact the class participants from the Permit Year 2 classes in the fall of 2010 to determine which behaviors have been adopted.

Additional language for communities as specified below:

Biddeford

- *Nothing additional through projects I track*

Cape Elizabeth

- *Nothing additional through projects I track*

Cumberland

- May 8, 2010 – Screening of *A Chemical Reaction* was held at the Congregational Church in Cumberland. Approximately 55 people attended the event, which was coordinated by the church's Green Team.

Falmouth

- June 2, 2010 – Falmouth Middle School presented their independent research on YardScaping to parents and members of the community. Approximately 45 people attended the event.

Freeport

- June 23, 2010 – YardScaping class, sponsored by the Town of Freeport and CCSWCD, was offered at the Freeport Community Center. The class was promoted through a press release in the local paper; postings in online calendars; information distributed at the weekly farmers' market; posters displayed at the library, post office, town office, community center, and local retailers; notification sent to the Freeport Land Trust; and outreach done to Freeport's Conservation Commission and Shellfish Conservation Commission. Despite all of the outreach done, no one attended the class.

Gorham

- June 29, 2010 – The Casco Bay Youth Conservation Corps and local volunteers assisted the Gorham Public Works Department by stenciling 258 storm drains throughout the Town. In addition, 78 door hangers were distributed to houses in the neighborhoods where the storm drains were located.

Old Orchard Beach

- *Nothing additional through projects I track*

Portland

- July 9, 2009 – The Casco Bay Youth Conservation Corps stenciled 257 storm drains. The event was covered by Channel 8.
- July 19, 2009 – CCSWCD staff provided a YardScaping Display at Cultivating Community's Boyd Street Bash. Approximately 50 people attended the event.
- January 28, 2010 – A public meeting was held as part of the Capisic Brook Watershed Planning Project. Approximately 35 people attended.
- May 10, 2010 – 90 students from Lincoln Middle School distributed 537 YardScaping door hangers to residents in the Capisic Brook Watershed.

Saco

- *Nothing additional through projects I track*

Scarborough

- September 26, 2009 – Open house at the Scarborough Public Works Department, which offered residents the opportunity to meet the staff and learn about what the Department does. Approximately xx people attended.
- May 18, 2010 – Public stakeholder meeting held as part of the Red Brook Watershed Planning Project.

Approximately 45 people attended.

South Portland

- September 18, 2009 – Water quality buffer planting on Philbrook Ave. Approximately 20 people participated in the event, which was done as part of the Long Creek Restoration Project.

Westbrook

- *Nothing additional through projects I track*

Windham

- July 2009 – Town distributed 8.5x11 fliers of the “Follow the Flow” posters to all residents in the community through their municipal recycling pick up.
- July 2009 – All municipal vehicles display Think Blue Maine ducky logo stickers.
- September 12, 2009 – Community Watershed Forum held for residents of Highland Lake to discuss conservation issues and update the Lake’s watershed management plan. Approximately 50 people attended.
- June 9, 2010 – YardScaping presentation provided at the Windham Public Library as part of the water-themed adult summer reading series. Approximately 8 people attended.
- June 30, 2010 – Casco Bay Youth Conservation Corps and local volunteers stenciled 100 storm drains in South Windham and in residential neighborhoods throughout the Town.

Yarmouth

- April 1, 2010 – Screening of *A Chemical Reaction* and a panel discussion with Paul Tukey was held at Yarmouth High School. Approximately 50 people attended.

Permit Year 2 Summary: Stormwater Classroom Education Activities

The following is a summary of education activities completed in each ISWG community during the 2009-2010 school year. Activities were provided by the following and are noted by the organization's acronym:

CCSWCD: Sarah Plummer, Education Coordinator, Cumberland County Soil & Water Conservation District, sarah-plummer@cumberlanswcd.org, 207-892-4700 x 107

YCSWCD: Melissa Brandt, District Manager, York County Soil & Water Conservation District, melissabrandt@yorkswcd.org, 207-324-0888 x 214

PWD: Lynne Richard, Education Coordinator, Portland Water District, lrichard@pwd.org, 207-774-5961 x 3324

Biddeford

Total students: potentially 45

Total contact hours: unknown

Lesson topics: Sent teachers lesson plans for lessons about runoff, nonpoint source pollution, and best management practices, and the amount of water in the world, conservation, and the water cycle.

Note: Many attempts were made to work in the Biddeford Intermediate School with teachers whom we have worked with successfully in the past. The teachers expressed interest in working together again but then did not have time. Contact has been made with a new teacher for next year, and more contacts will be pursued during the 2010-2011 school year. If you know of any teachers that would be interested in these lessons, please pass their information along to Sarah Plummer at CCSWCD.

Schools: Biddeford Intermediate School

Educator: YCSWCD

Cape Elizabeth

Total students: 151

Total contact hours: 1,013

Lesson topics: Amount of water in the world, conservation, and the water cycle; nonpoint source pollution and best management practices; topography, contour lines, watersheds, water movement and transport of nonpoint source pollutants; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change.

Schools: Cape Elizabeth Middle School, Pond Cove Elementary School

Educators: CCSWCD, PWD

Cumberland

Total students: 177

Total contact hours: 1,390

Lesson topics: Water quality parameters; groundwater contamination; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change; Envirothon**.

Schools: Greely Middle School, Greely High School

Educators: CCSWCD, PWD

Falmouth

Total students: 46

Total contact hours: 580

Lesson topics: Watersheds and water flow, local water bodies, and watersheds; stormwater pollution and cumulative impact; nonpoint source pollution and behavior change; experiments and independent research projects where students formed a yard care company based on the YardScaping program (healthy lawn care without the use of chemicals) and presented their research to the public.

Schools: Falmouth Middle School
Educator: CCSWCD

Freeport

Total students: 96

Total contact hours: 314

Lesson topics: Water flow and watersheds; adaptations of salt marsh species; amount of water in the world, conservation, and the water cycle; bioaccumulation from a pesticide runoff in an aquatic food web; Southern Maine Children's Water Festival*.

Schools: Mast Landing School

Educator: CCSWCD

Gorham

Total students: 197

Total contact hours: 709

Lesson topics: Erosion, erosion control laws, history of conservation districts, and BMP slideshow; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change.

Schools: Gorham Middle School, Narragansett Elementary School

Educators: CCSWCD, PWD

Old Orchard Beach

Total students: 61

Total contact hours: 366

Lesson topics: Build landscape models to learn about impervious/pervious surfaces, nonpoint source pollution, and best management practices; bioaccumulation from a pesticide runoff in an aquatic food web; stormwater, stormdrains, and wastewater; amount of water in the world, conservation, and the water cycle.

Schools: Loranger Middle School

Educator: YCSWCD

Portland

Total students: 892

Total contact hours: 2,961

Lesson topics: Presumpscot River presentation and field trip; hydropower; nonpoint source pollution; amount of water in the world, conservation, and the water cycle; stormwater; tide pools; water quality testing; waste water treatment and combined sewer outfalls; trout field study and release event including education about nonpoint source pollution, water quality, and watersheds; Southern Maine Children's Water Festival*; Envirothon**.

Schools: King Middle School, Lincoln Middle School, Lyman Moore Middle School, Portland West School, Hall Elementary School, Peaks Island Summer Rovers, Casco Bay High School, East End Community School, Riverton Elementary School, Reiche School, Nathan Clifford School

Educators: CCSWCD, PWD

Saco

Total students: 92

Total contact hours: 368

Lesson topics: Water quality field day included water quality sampling, macroinvertebrates, bioaccumulation from a pesticide runoff in an aquatic food web, and stormwater runoff.

Schools: Saco Middle School

Educator: YCSWCD

Scarborough

Total students: 407

Total contact hours: 941

Lesson topics: Macroinvertebrates as indicators of water quality; water quality testing and macroinvertebrate sampling on a local stream; watersheds; groundwater; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change.

Schools: Scarborough High School, Scarborough Middle School, Ocean Park Summer Camp

Educators: CCSWCD, PWD

South Portland

Total students: 413

Total contact hours: 2,623

Lesson topics: Amount of water in the world, conservation, and the water cycle; where rivers begin, how they flow and watersheds; stormwater sources and effects; build landscape models to learn about impervious/pervious surfaces, nonpoint source pollution, and best management practices; macroinvertebrate/water quality field day; trout field study and release event including education about nonpoint source pollution, water quality, and watersheds; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change; Southern Maine Children's Water Festival*.

Schools: Skillin Elementary School, Dyer Elementary School, Mahoney Middle School, Southern Maine Community College, Small Elementary School, Greater Portland Christian School, Holy Cross School

Educators: CCSWCD, PWD

Westbrook

Total students: 134

Total contact hours: 470

Lesson topics: Hydropower stakeholder meeting; water cycle; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change; Envirothon**.

Schools: Westbrook Middle School, Westbrook High School

Educators: CCSWCD, PWD

Windham

Total students: 486

Total contact hours: 2,954

Lesson topics: Planning and conducting "Ecocentricity" event where high school students taught lessons to middle schoolers – included lessons about geology, water, soil, atmosphere, and ecology with a conservation focus on each topic; trout field study and release event including education about nonpoint source pollution, water quality, and watersheds; wetlands; various lessons included information about nonpoint source pollution, human impact, watershed characteristics, stormwater, low impact development, and behavior change.

Schools: Windham High School, Windham Middle School

Educators: CCSWCD, PWD

Yarmouth

Total students: 120

Total contact hours: 150

Lesson topics: Water quality testing; amount of water in the world and conservation; stormwater and effects of nonpoint source pollution.

Schools: Harrison Middle School

Educator: YCSWCD

* The **Southern Maine Children's Water Festival** is a one-day event occurs that annually each May, drawing about 700 middle school students from all over Southern Maine to learn about different aspects of water. Students attend classroom presentations, a water-based stage show, "Dripial Pursuit" competitions, and tour many exhibits in the exhibit hall. Activities focus on nonpoint source pollution and ways that students can be part of the solution.

** The **Envirothon** is an environmental competition conducted throughout Maine each spring. High school students test their knowledge of natural resources and current environmental issues in an outdoor setting. Teams of three to five students are tested at five stations: Wildlife, Aquatics, Forestry, Soils, and a Current Natural Resources Issue. The top three teams at each regional competition compete in the State competition, with the advancement to a national competition for top-placing teams.

APPENDIX B

Non-Stormwater Discharge Ordinance

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

STORMWATER DISCHARGE ORDINANCE

Town of Cumberland, Maine

DRAFT

7-6-09

STORMWATER DISCHARGE ORDINANCE
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ARTICLE I

A. PURPOSE: The purpose of this Storm Water Discharge Ordinance (the “Ordinance”) is to provide for the health, safety, and general welfare of the citizens of the Town of Cumberland through the regulation of Non-Storm Water Discharges to the Town’s Storm Drainage System as required by federal and State law.

This Ordinance establishes methods for controlling the introduction of Pollutants into the Town’s Storm Drainage System in order to comply with requirements of the federal Clean Water Act and State law.

B. OBJECTIVES

The objectives of this Ordinance are:

1. To prohibit un-permitted or un-allowed Storm Water Discharges to the Storm Drainage System; and
2. To set forth the legal authority and procedures to carry out all inspection, monitoring and enforcement activities necessary to ensure compliance with this Ordinance.

C. APPLICABILITY This Ordinance shall apply to all Persons discharging Storm Water and/or Non-Storm Water Discharges from any Premises into the Storm Drainage System located within the Urban Area as depicted in Attachment A.

D. RESPONSIBILITY FOR ADMINISTRATION The Town Manager or his/her designee is the Code Enforcement Officer who shall administer, implement, and enforce the provisions of this Ordinance.

E. DEFINITIONS For the purposes of this Ordinance, the terms listed below are defined as follows:

Clean Water Act. “Clean Water Act” means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Discharge “Discharge” means any spilling, leaking, pumping, pouring, emptying, dumping, disposing or other addition of Pollutants to “waters of the State.” “direct discharge” or “point source” means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which Pollutants are or may be discharged.

Exempt Person or Discharge “Exempt Person or Discharge” means any Person who is subject to a Multi-Sector General Permit for Industrial Activities, a General Permit for Construction Activity, a General Permit for the Discharge of Stormwater from the Maine Department of Transportation and the Maine Turnpike Authority Municipal Separate Storm Sewer Systems, or a General Permit for the Discharge of Stormwater from State or Federally Owned Authority Municipal Separate Storm Sewer System Facilities; and any Non-Storm Water Discharge permitted under a NPDES permit, waiver, or waste discharge license or order issued to the discharger and administered under the authority of the U.S. Environmental Protection Agency (“EPA”) or the Maine Department of Environmental Protection (“DEP”).

Industrial Activity “Industrial Activity” means activity or activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

Municipal Separate Storm Sewer System or MS4. “Municipal Separate Storm Sewer System” or “MS4,” means conveyances for storm water, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any municipality, town, sewer or sewage district, fire district, State agency or Federal agency or other public entity that discharges directly to surface waters of the State.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. “National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit” means a permit issued by the EPA or by the DEP that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge “Non-Storm Water Discharge” means any Discharge to an MS4 that is not composed entirely of Storm Water.

Person “Person” means any individual, firm, corporation, municipality, town, quasi-municipal corporation, State agency or Federal agency or other legal entity which creates, initiates, originates or maintains a Discharge of Storm Water or a Non-Storm Water Discharge.

Pollutant “Pollutant” means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Premises “Premises” means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips, located within the Town from which Discharges into the Storm Drainage System are or may be created, initiate, originated or maintained.

Regulated Small MS4 “Regulated Small MS4” means any Small MS4 regulated by the State of Maine “General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems” (“General Permit”), including all those located partially or entirely within an Urbanized Area (UA) and those additional Small MS4s located outside a UA that as of the issuance of the General Permit have been designated by the DEP as Regulated Small MS4s.

Small Municipal Separate Storm Sewer System or Small MS4 “Small Municipal Separate Storm Sewer System”, or “Small MS4,” means any MS4 that is not already covered by the Phase I MS4 stormwater program including municipally owned or operated storm sewer systems, State or federally-owned systems, such as colleges, universities, prisons, Maine Department of Transportation and Maine Turnpike Authority road systems and facilities, and military bases and facilities.

Storm Drainage System “Storm Drainage System” means the Town’s Municipal Separate Storm Sewer System including the Town’s Regulated Small MS4 and areas outside the Town’s Urbanized Area that drain into the Regulated Small MS4.

Storm Water “Storm Water” means any Storm Water runoff, snowmelt runoff, and surface runoff and drainage; “Stormwater” has the same meaning as “Storm Water.”

Town “Town” means the Town of Cumberland.

Urbanized Area (“UA”) “Urbanized Area” or “UA” means the areas of the State of Maine so defined by the latest decennial census by the U.S. Bureau of the Census.

ARTICLE II

A. GENERAL PROHIBITION Except as allowed or exempted herein, no Person shall create, initiate, originate or maintain a Non-Storm Water Discharge to the Storm Drainage System. Such Non-Storm Water Discharges are prohibited notwithstanding the fact that the Town may have approved the connections, drains or conveyances by which a Person Discharges un-allowed Non-Storm Water Discharges to the Storm Drainage System.

B. ALLOWED NON-STORM WATER DISCHARGES

The creation, initiation, origination and maintenance of the following Non-Storm Water Discharges to the Storm Drainage System is allowed:

- 1 Landscape irrigation;
- 2 diverted stream flows;
- 3 rising ground waters;
- 4 uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
- 5 uncontaminated pumped ground water;
- 6 uncontaminated flows from foundation drains;
- 7 air conditioning and compressor condensate;
- 8 irrigation water;
- 9 flows from uncontaminated springs;
- 10 uncontaminated water from crawl space pumps;
- 11 uncontaminated flows from footing drains;
- 12 lawn watering runoff;
- 13 flows from riparian habitats and wetlands;
- 14 residual street wash water (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material has been removed and detergents are not used);
- 15 hydrant flushing and fire fighting and fire fighting training activity runoff;
- 16 water line flushing and discharges from potable water sources;
- 17 individual residential car washing;
- 18 de-chlorinated swimming pool discharges; and
- 19 Discharges specified in writing by the Code Enforcement Officer as being necessary to protect public health and safety; and
- 19 Dye testing, with verbal notification to the Code Enforcement Officer prior to the time of the test.

C. EXEMPT PERSON OR DISCHARGE This Ordinance shall not apply to an Exempt Person or Discharge, except that the Code Enforcement Officer may request from Exempt Persons and Persons with Exempt Discharges copies of permits, notices of intent, licenses and orders from the EPA or DEP that authorize the Discharge(s).

D. SUSPENSION OF ACCESS TO THE TOWN'S SMALL MS4 The Code Enforcement Officer may, without prior notice, physically suspend Discharge access to the Storm Drainage System to a Person when such suspension is necessary to stop an actual or threatened Non-Storm Water Discharge to the Storm Drainage System which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the Storm Drainage System, or which may cause the Town to violate the terms of its environmental permits. Such suspension may include, but is not limited to, blocking pipes, constructing dams or taking other measures, on public ways or public property, to physically block the Discharge to prevent or minimize a Non-Storm Water Discharges to the Storm Drainage System.

If the Person fails to comply with a suspension order issued in an emergency, the Code Enforcement Officer may take such steps as deemed necessary to prevent or minimize damage to the Storm Drainage System, or to minimize danger to persons, provided, however, that in taking such steps the Code Enforcement Officer may enter upon the Premises that are the source of the actual or threatened Non-Storm Water Discharge to the Storm Drainage System only with the consent of the Premises' owner, occupant or agent.

E. MONITORING OF DISCHARGES In order to determine compliance with this Ordinance, the Code Enforcement Officer may enter upon and inspect Premises subject to this Ordinance at reasonable hours with the consent of the Premises' owner, occupant or agent: to inspect the Premises and connections thereon to the Storm Drainage System; and to conduct monitoring, sampling and testing of the Discharge to the Storm Drainage System.

ARTICLE III

A. ENFORCMENT It shall be unlawful for any Person to violate any provision of or to fail to comply with any of the requirements of this Ordinance. Whenever the Code Enforcement Officer believes that a Person has violated this Ordinance, Code Enforcement Officer may enforce this Ordinance in accordance with 30-A M.R.S.A. § 4452.

B. NOTICE OF VIOLATION Whenever the Code Enforcement Officer believes that a Person has violated this Ordinance, the Code Enforcement Officer may order compliance with this Ordinance by written notice of violation to that Person indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:

- 1 The elimination of Non-Storm Water Discharges to the Storm Drainage System, including, but not limited to, disconnection of the Premises from the MS4;
- 2 The cessation of discharges, practices, or operations in violation of this Ordinance;

- 3 At the Person's expense, the abatement or remediation (in accordance with best management practices in DEP rules and regulations) of Non-Storm Water Discharges to the Storm Drainage System and the restoration of any affected property; and/or the payment of fines, of the Town's remediation costs and of the Town's reasonable administrative costs and attorneys' fees and costs. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such abatement or restoration must be completed.

C. PENALTIES, FINES, INJUNCTIVE RELIEF Any Person who violates this Ordinance shall be subject to fines, penalties and orders for injunctive relief and shall be responsible for the Town's attorney's fees and costs, all in accordance with 30-A M.R.S.A. § 4452. Each day that such violation continues shall constitute a separate violation. Moreover, any Person who violates this Ordinance also shall be responsible for any and all fines, penalties, damages and costs, including, but not limited to attorneys' fees and costs, incurred by the Town for violation of federal and State environmental laws and regulations caused by or related to that Person's violation of this Ordinance; this responsibility shall be in addition to any penalties, fines or injunctive relief imposed under this Ordinance.

D. CONSENT AGREEMENT The Code Enforcement Officer may, with the approval of the municipal officers, enter into a written consent agreement with the violator to address timely abatement of the violation(s) of this Ordinance for the purposes of eliminating violations of this Ordinance and of recovering fines, costs and fees without court action.

E. APPEAL OF NOTICE OF VIOLATION Any Person receiving a Notice of Violation or suspension notice may appeal the determination of the Code Enforcement Officer to the Board of Adjustment. The notice of appeal must be received within 30 days from the date of receipt of the Notice of Violation.

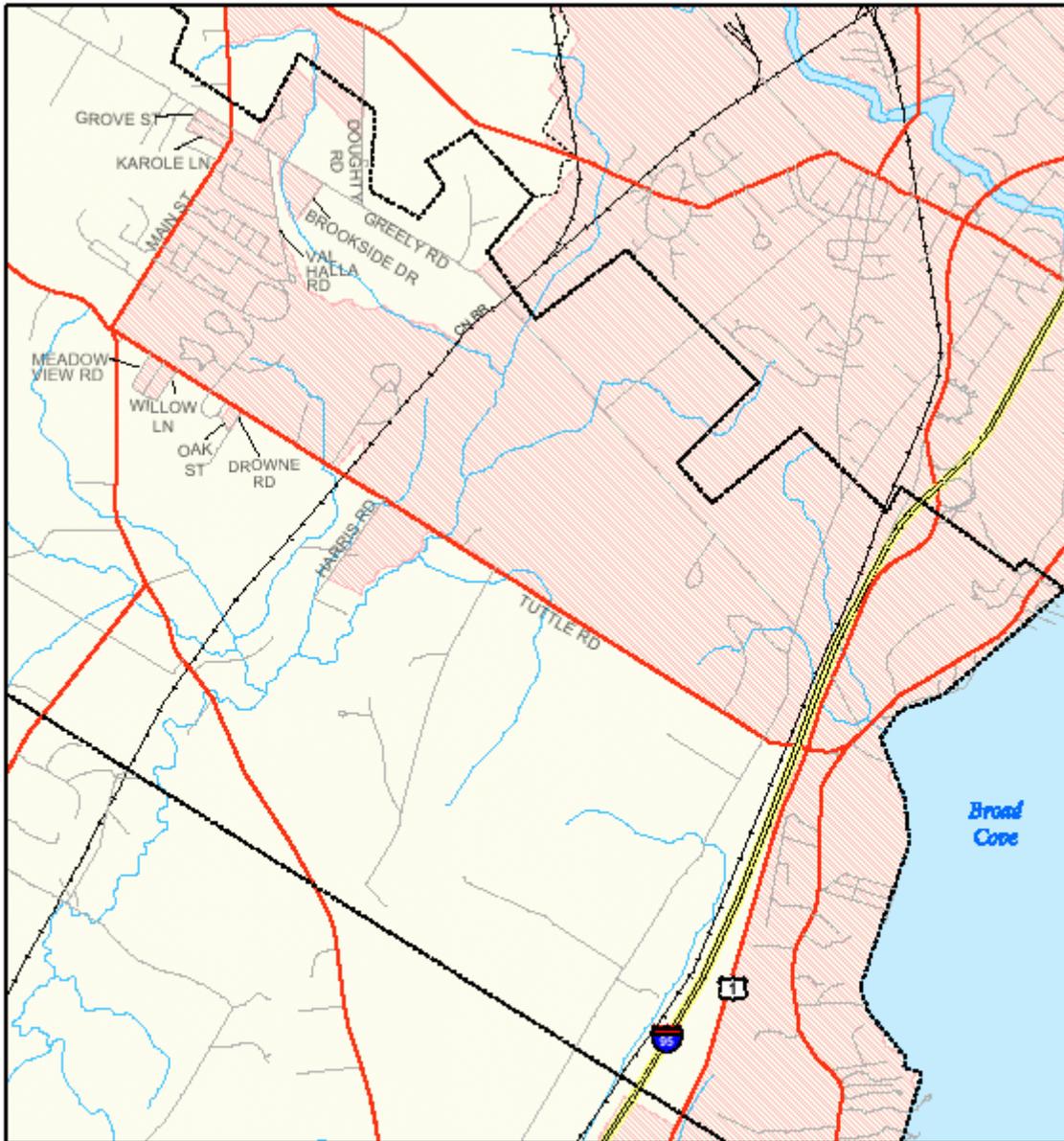
The Board of Appeals shall hold a hearing on the appeal within 30 days from the date of receipt of the notice of appeal. The Board of Appeals may affirm, reverse or modify the decision of the Code Enforcement Officer.

F. ENFORCEMENT MEASURES If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal to the Board of Appeals, within 45 days of a decision of the Board of Appeals affirming or modifying the Code Enforcement Officer's decision, then the Code Enforcement Officer may recommend to the municipal officers that the Town's attorney file an enforcement action in a Maine court of competent jurisdiction under Rule 80K of the Maine Rules of Civil Procedure.

Notwithstanding these requirements, in the event of an emergency situation that presents an immediate threat to public health, safety or welfare or that may result in damage to the Town's Storm Drainage System, the Town may seek injunctive relief at any time after learning of such emergency situation.

ARTICLE IV

- A. ULTIMATE RESPONSIBILITY OF DISCHARGER** The standards set forth herein are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any Person will ensure that there will be no contamination, pollution, nor unauthorized discharge of Pollutants into waters of the U.S. caused by said Person. This Ordinance shall not create liability on the part of the Town, or any officer agent or employee thereof for any damages that result from any Person's reliance on this Ordinance or any administrative decision lawfully made hereunder.
- B. SEVERABILITY** The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions, clauses, sentences, or paragraphs or application of this Ordinance.
- C. BASIS** The Town of Cumberland enacts this Storm Water Discharge Ordinance (the "Ordinance") pursuant to 30-A M.R.S.A. § 3001 (municipal home rule ordinance authority), 38 M.R.S.A. § 413 (the "Wastewater Discharge Law"), 33 U.S.C. § 1251 et seq. (the "Clean Water Act"), and 40 CFR Part 122 (U.S. Environmental Protection Agency's regulations governing the National Pollutant Discharge Elimination System ("NPDES")). The Maine Department of Environmental Protection, through its promulgation of the "General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems" has listed the Town of Cumberland as having a Regulated Small Municipal Separate Storm Sewer System ("Small MS4"); under this General Permit, listing as a Regulated Small MS4 necessitates enactment of this Ordinance as part of the Town's Storm Water Management Program.



Area of Focus:



**NPDES Phase II Stormwater Program
Automatically Designated MS4 Areas
Cumberland, Maine**

-  Regulated Area (2000 Urbanized Area)
-  Cumberland Town Boundary

Town Population: 7,159
Regulated Population: 3,112



0 0.3 0.6 0.9 Miles

Data Sources: Urbanized Areas from US Census Bureau (2000); Political Boundaries from ME Office of GIS; Hydrography from NHD; Transportation data from GDT at 1:24,000.
Map Created: 12/17/02; US EPA- New England GIS Center
L:\project\stormwater\phase2\maine\maine02

APPENDIX C

Dry Weather Outfall Inspection SOP

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

Town of Cumberland
Stormwater Program Management Plan
Illicit Discharge Detection and Elimination
Standard Operating Procedure
for
Dry Weather Outfall Inspection Program
Effective Date: April 7, 2009
Revision No.: Three
Last Revision Date: September 29, 2009

Purpose: The purpose of this Standard Operating Procedure (SOP) is to provide guidance, monitoring and corrective action as needed for the elimination of illicit discharges to Cumberland's storm drain system and ultimately the receiving waters in the Town as required by the Town's MS4 General Permit and Stormwater Program Management Plan.

Scope: This SOP applies in the performance of IDDE dry weather outfall inspection as required by Minimum Control Measure 3 Illicit Discharge Detection and Elimination, Best Management Practice (BMP) 3.3 of the Stormwater Program Management Plan.

References: Guidelines and Standard Operating Procedures for Stormwater Phase II Communities in Maine, Volume 1: Information for Program Managers; and Guidelines and Standard Operating Procedures for Stormwater Phase II Communities in Maine Volume 2: Standard Operating Procedures and Forms.

Responsible Parties:

- Overall program management: Assistant Town Manager
- Field inspections: Director of Public Services
- Tracking and record keeping: Public Works Secretary
- Review and follow up: Assistant Town Manager
- Corrective action: Director of Public Services
- Enforcement: Code Enforcement Officer

Inspection Schedule:

- Field inspection will be performed during periods of dry weather where no significant precipitation has occurred in the preceding 48 hours;
- Inspections will be performed during periods low flow where field inspections may be performed in a safe and efficient manner;
- Each outfall in the highest priority watershed will be inspected at least once in a permit cycle and more frequently as required by field conditions;
- By the end of the permit cycle, all outfalls in at least one sub-watershed of the second highest priority watershed.

Inspection Priority: Dry weather inspections will be scheduled and conducted in a prioritized basis and will target specific sub watersheds of the priority watershed based on the highest priority. The sub water shed priority is as follows:

Priority	Watershed ID	Description (See Delineation Maps)
1	PISC 3	Hedgerow Drive to Greely Road Area
2	PISC 1	Greely High School Area
3	PISC 2	Farwell Avenue to Hill Crest Drive Area
4	PISC 4	Meadow Lane to Catalpa Lane
5	PISC 5	Catalpa Lane to Maurice Way

Inspection Procedure:

- Inspections will be conducted in a safe manner and all required Personal Protective Equipment (PPE) will be used;
- Inspections will be performed as outlined in Section 2.1 and 2.2 of the Guidelines and Standard Operating Procedures for Stormwater Phase II Communities in Maine Volume 2: Standard Operating Procedures and Forms;
- Inspection will be recorded on the Standard Dry Weather Outfall Inspection Form, Page 2-9 of Guidelines and Standard Operating Procedures for Stormwater Phase II Communities in Maine Volume 2: Standard Operating Procedures and Forms;
- Digital photographs will be recorded and attached to each Inspection Form;
- Abnormal conditions, outfall damage, suspected illicit discharges and other issues will be noted in the Inspection Form and will reported to the Director of Public Services for remedial action as required;
- In the case where an illicit discharge is noted or suspected, an attempt will be made to locate the source of the illicit discharge and will be documented in the Inspection Form for future action;
- Completed Inspection forms will be forwarded to the Public Works Secretary for archiving;
- When possible, opportunistic inspections will be performed by field staff. Following an opportunistic inspection, an Inspection Form will be completed and archived as noted above.

Corrective Action: When a suspected illicit discharge is noted, either during the regular inspection procedure, while conducting an opportunistic inspection or when reported by a citizen or third party inspection, the Town will take corrective action that may include, but not be limited to, the following.

- The Director of Public Services and the Code Enforcement Officer will be notified of the potential illicit discharge;
- The source of the illicit discharge will be traced and a mitigation plan to eliminate the illicit discharge will be developed by the Town;
- The illicit discharge will be eliminate as soon as practical;
- The corrective action will be documented by the Director of Public Works and will be forwarded to the Public Works Secretary for archiving;
- Follow up inspections will be scheduled as required.

Record Keeping and Program Evaluation: All inspection forms, complaints, Notice of Violations, remedial actions and infrastructure upgrades will be tracked and archived by

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the Public Works Secretary in an appropriate three ring binder system. This system will include the following steps:

- Completed inspection reports and all other pertinent information will be forwarded to the Public Works Secretary for archiving in the binder;
- Inspections that indicated a possible illicit discharge will be flagged and forwarded to the Director of Public Services for the appropriate action;
- On at least an annual basis the inspection forms and related data will be reviewed by the Assistant Town Manager for accuracy and conformance to the SOP and the Stormwater Program Management Plan;
- On an annual basis the inspections shall be tabulated and will be included in the Town's Annual Report to the Maine DEP.

APPENDIX D

IDDE Training Attendance Records and Training
Agenda

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

**Staff IDDE Field Training: Public Services
RECORD OF ATTENDANCE**

Town of Cumberland, Maine

July 13, 2009

Name	Organization	Phone	FAX	Cell Phone	E-Mail Address
Steve Johnson	Oak Engineers	772-2004			steven.johnson@oakengineers.com
Danny Burr	Town of Cumberland				
Steve Googins	Town of Cumberland				
Chris Bolduc	Town of Cumberland				
Bill Landis	Town of Cumberland				
Chris Logan	Town of Cumberland				

APPENDIX E

Construction Site Erosion Control Inspection Form

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010



**TOWN OF CUMBERLAND
CONSTRUCTION SITE EROSION CONTROL
INSPECTION FORM**

General Information:			
Site Name:		Date:	Inspected by:
Address/Landmark:			
Reason for Inspection: <input type="checkbox"/> Scheduled <input type="checkbox"/> ESC Inspection <input type="checkbox"/> Random <input type="checkbox"/> Complaint			
Owner:		Contractor:	
ID #:	Last Rain Date:	Amount	(inches)
1. Erosion Control Practices During Construction			
a) Are all disturbed areas dormant > 21 Days Stabilized?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
b) Are stockpiles and hillsides stabilized?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
c) Are stabilized areas in good condition and not eroding?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
d) Are silt fence/mulch berm installed correctly and according to plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
e) Are inlet protection measures installed correctly?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
f) Have all areas at final grade > 7 days permanently stabilized?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
g) Have all riprap outlet protection measures been installed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Comments/Violations:			
2. Sedimentary Control Practices During Construction			
a) Construction entrance missing or inadequate?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
b) Sedimentation basins/traps installed correctly and functioning?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
c) Perimeter controls installed prior to disturbing soil?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
d) Check dams installed correctly?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Comments/Violations:			
3. Maintenance			
a) Erosion and Sedimentation Controls need repair, replacement, enhancement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
b) Sedimentation basin maintenance required?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
c) Sedimentation in ditches require removal?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
d) Sediment trackout on paved surfaces at exits?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Comments/Violations:			
4. Inspections			
a) Stormwater pollution prevention plan (SWPP)	<input type="checkbox"/> Onsite	<input type="checkbox"/> Not Onsite	<input type="checkbox"/> N/A
b) Inspection/Maintenance forms/logs complete?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Comments/Violations:			
Violation, Corrective Actions, Recommendations			
Site compliant with permit and town ordinances?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Sediment discharged from site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Corrective action required?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Notice of violation issued?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Stop work order issued?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Comments/Corrective Action Required:			

Revised July 1, 2009

APPENDIX F

Post Construction Stormwater Management
Ordinance

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

**POST-CONSTRUCTION STORMWATER MANAGEMENT
ORDINANCE**

Town of Cumberland, Maine
Adopted: _____

DRAFT dated: August 19, 2009

POST-CONSTRUCTION STORMWATER DISCHARGE ORDINANCE

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ARTICLE I

General

A. PURPOSE

The purpose of this “Post-Construction Stormwater Management Ordinance” (the “Ordinance”) is to provide for the health, safety, and general welfare of the citizens of the Town of Cumberland through review and approval of post-construction stormwater management plans and monitoring and enforcement of compliance with such plans as required by federal and State law.

This Ordinance establishes methods for post-construction stormwater management in order to comply with minimum control measures requirements of the federal Clean Water Act, of federal regulations and of Maine’s Small Municipal Separate Storm Sewer Systems General Permit.

B. OBJECTIVES

The objectives of this Ordinance are:

1. To reduce the impact of post-construction discharge of stormwater on receiving waters; and
2. To reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through use of Best Management Practices as promulgated by the Maine Department of Environmental Protection pursuant to its Chapters 500 and 502 Rules, and ensure that these management controls are properly maintained and pose no threat to public safety.

C. APPLICABILITY

1. This Ordinance applies to all New Development and Redevelopment within the Town that Discharges Stormwater to the Town’s Municipal Separate Storm Sewer System (MS-4) and to associated Stormwater Management Facilities.
2. Exception: This Ordinance does not apply to New Development or Redevelopment on a lot, tract or parcel where that lot, tract or parcel is part of a subdivision that is approved under this Ordinance. Said lot, tract or parcel shall not require separate review under this Ordinance, but shall comply with the Post-Construction Stormwater Management Plan requirements for that approved subdivision.

D. DEFINITIONS

For the purposes of this Ordinance, the terms listed below are defined as follows:

Applicant means a Person with requisite right, title or interest or an agent for such Person who has filed an application for New Development or Redevelopment that requires a Post-Construction Stormwater Management Plan under this Ordinance.

Best Management Practices (“BMP”) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Clean Water Act means the federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*, also known as the “Clean Water Act”), and any subsequent amendments thereto.

Construction Activity means Construction Activity including one acre or more of Disturbed Area. Construction Activity also included activity with less than one acre of total land Disturbed Area if that area is part of a subdivision that will ultimately disturb an area equal to or greater than one acre.

Discharge means any spilling, leaking, pumping, pouring, emptying, dumping, disposing or other addition of Pollutants to “waters of the State.” “Direct discharge” or “point source” means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which Pollutants are or may be discharged.

Disturbed Area means clearing, grading and excavation. Mere cutting of trees, without grubbing, stump removal, disturbance or exposure of soil is not considered “Disturbed Area.” “Disturbed area” does not include routine maintenance but does include Redevelopment. “Routine maintenance” is maintenance performed to maintain the original line and grade, hydraulic capacity, and original purpose of land or improvements thereon.

Enforcement Authority means the Town Manager or his/her designee who is the person(s) or department authorized by the Town to administer and enforce this Ordinance.

Town means the Town of Cumberland.

Municipal Permitting Authority means the municipal official or body that has jurisdiction over the land use approval or permit required for a New Development or Redevelopment.

Municipal Separate Storm Sewer System, or MS4 means conveyances for stormwater, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any municipality, sewer or sewage district, fire district, State agency or Federal agency or other public entity that discharges directly to surface waters of the State.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit means a permit issued by the U.S. Environmental Protection Agency (“EPA”) or by the Maine Department of Environmental Protection (“DEP”) that authorizes the

discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

New Development means any Construction Activity on unimproved Premises and for purposes of this ordinance includes “Redevelopment” defined below.

Person means any individual, firm, corporation, municipality, town, Quasi-municipal Corporation, State agency or Federal agency or other legal entity.

Pollutant means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Post-Construction Stormwater Management Plan means BMPs and associated inspection and maintenance procedures for the Stormwater Management Facilities employed by a New Development or Redevelopment to meet the standards of this Ordinance and approved by the Municipal Permitting Authority.

Premises means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips, located within the Town from which Discharges into the Storm Drainage System are or may be created, initiated, originated or maintained.

Qualified Post-Construction Stormwater Inspector means a person who conducts post-construction inspections of Stormwater Management Facilities for compensation and who has received the appropriate training for the same from DEP.

Redevelopment means Construction Activity on Premises already improved with buildings, structures or activities or uses, but does not include such activities as exterior remodeling of structures.

Regulated Small MS4 means any Small MS4 regulated by the State of Maine “General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems” (“General Permit”), including all those located partially or entirely within an Urbanized Area (UA) and those additional Small MS4s located outside a UA that as of the issuance of the General Permit have been designated by the DEP as Regulated Small MS4s.

Small Municipal Separate Storm Sewer System, or Small MS4 means any MS4 that is not already covered by the Phase I MS4 stormwater program including municipally owned or operated storm sewer systems, State or federally-owned systems, such as colleges, universities, prisons, Maine Department of Transportation and Maine Turnpike Authority road systems and facilities, and military bases and facilities.

Storm Drainage System means the Town's Municipal Separate Storm Sewer System including the Town's Regulated Small MS4 and areas outside the Town's Urbanized Area that drain into the Regulated Small MS4.

Stormwater means any Stormwater runoff, snowmelt runoff, and surface runoff and drainage; "Stormwater" has the same meaning as "Storm Water."

Stormwater Management Facilities means any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures that are part of the Post-Construction Stormwater Management Plan for a New Development or Redevelopment.

Urbanized Area ("UA") means the areas of the State of Maine so defined by the latest decennial census by the U.S. Bureau of the Census.

ARTICLE II MANAGEMENT PLAN

A. GENERAL REQUIREMENT

1. Except as provided in Section I.C.2 above, no Applicant for a building permit, subdivision approval, site plan approval or other zoning, planning or other land use approval for New Development to which this Ordinance is applicable shall receive such permit or approval for that New Development unless the Municipal Permitting Authority for that New Development also determines that the Applicant's Post-Construction Stormwater Management Plan for that New Development meets the requirements of this Ordinance.
2. At the time of application, the Applicant shall notify the Municipal Permitting Authority if its Post-Construction Stormwater Management Plan includes any BMP(s) that will discharge to the Town's MS4 and shall include in this notification a listing of which BMP(s) will so discharge.

B. PERFORMANCE STANDARDS

1. The Applicant shall make adequate provision for the management of the quantity and quality of all stormwater generated by a New Development through a Post-Construction Stormwater Management Plan. This Post-Construction Stormwater Management Plan shall be designed to meet the standards contained in the Maine Department of Environmental Protection's Chapters 500 and 502 Rules and shall comply with the practices described in the manual *Stormwater Management for Maine*, published by the Maine Department of Environmental Protection, January 2006, which hereby are incorporated by reference pursuant to 30-A M.R.S.A. § 3003.
2. The Applicant shall meet the quantity and quality standards above either on-site or off-site. Where off-site facilities are used, the applicant must submit to the Town documentation, approved as to legal sufficiency by the Town's attorney, that the

Applicant has a sufficient property interest in the property where the off-site facilities are located -- by easement, covenant or other appropriate legal instrument -- to ensure that the facilities will be able to provide post-construction stormwater management for the New Development and that the property will not be altered in a way that interferes with the off-site facilities.

3. Where the Applicant proposes to retain ownership of the Stormwater Management Facilities shown in its Post-Construction Stormwater Management Plan, the Applicant shall submit to the Town documentation, approved as to legal sufficiency by the Town's attorney that the Applicant, its successors, heirs and assigns shall have the legal obligation and the resources available to operate, repair, maintain and replace the stormwater management facilities. Applications for New Development or Redevelopment requiring Stormwater Management Facilities that will not be dedicated to the Town shall enter into a Maintenance Agreement with the Town. A sample of this Maintenance Agreement is attached as Appendix 1 to this Ordinance.

4. Whenever elements of the Stormwater Management Facilities are not within the right-of-way of a public street and the facilities will not be offered to the Town for acceptance as public facilities, the Municipal Permitting Authority may require that perpetual easements not less than thirty (30) feet in width, conforming substantially with the lines of existing natural drainage, and in a form acceptable to the Town's attorney, shall be provided to the Town allowing access for maintenance, repair, replacement and improvement of the Stormwater Management Facilities. When an offer of dedication is required by the Municipal Permitting Authority, the Applicant shall be responsible for the maintenance of these Stormwater Management Facilities under this Ordinance until such time (if ever) as they are accepted by the Town.

5. In addition to any other applicable requirements of this Ordinance and the Town's Municipal Code, any New Development which also requires a stormwater management permit from the Maine Department of Environmental Protection (DEP) under 38 M.R.S.A. 420-D shall comply with the rules adopted by DEP under 38 M.R.S.A. 420-D(1), as the same may be amended from time to time, and the applicant shall document such compliance to the Municipal Permitting Authority. Where the standards or other provisions of such stormwater rules conflict with municipal ordinances, the stricter (more protective) standard shall apply.

ARTICLE III POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN COMPLIANCE

A. GENERAL REQUIREMENTS

Any Person owning, operating, leasing or having control over Stormwater Management Facilities required by a Post-Construction Stormwater Management Plan approved under this Ordinance shall demonstrate compliance with that Plan as follows.

1. That Person or a Qualified Post-Construction Stormwater Inspector hired by that Person, shall, at least annually, inspect the Stormwater Management Facilities, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved Post-Construction Stormwater Management Plan.
2. If the Stormwater Management Facilities require maintenance to function as intended by the approved Post-Construction Stormwater Management Plan, that Person shall take corrective action(s) to address the deficiency or deficiencies.
3. That Person shall employ a Qualified Post-Construction Stormwater Inspector to provide, on or by March 1 of each year , a completed and signed certification to the Enforcement Authority in a form identical to that attached as Appendix 1 to this Ordinance, certifying that the Stormwater Management Facilities have been inspected, and that they are adequately maintained and functioning as intended by the approved Post-Construction Stormwater Management Plan, or that they require maintenance or repair, describing any required maintenance and any deficiencies found during inspection of the Stormwater Management Facilities, and, if the Stormwater Management Facilities require maintenance or repair of deficiencies in order to function as intended by the approved Post-Construction Stormwater Management Plan, the Person shall provide a record of the required maintenance or deficiency and corrective action(s) taken.

B. RIGHT OF ENTRY

In order to determine compliance with this Ordinance and with the Post-Construction Stormwater Management Plan, the Enforcement Authority may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the Stormwater Management Facilities.

C. ANNUAL REPORT

Beginning July 1, 2009 and each year thereafter, the Town shall include the following in its Annual Report to the Maine Department of Environmental Protection:

1. The cumulative number of sites that have Stormwater Management Facilities discharging into their MS4;
2. A summary of the number of sites that have Stormwater Management Facilities discharging into their MS4 that were reported to the Town;
3. The number of sites with documented functioning Stormwater Management Facilities; and
4. The number of sites that required routine maintenance or remedial action to ensure that Stormwater Management Facilities are functioning as intended.

ARTICLE IV

A. ENFORCEMENT

It shall be unlawful for any Person to violate any provision of or to fail to comply with any of the requirements of this Ordinance or of the Post-Construction Stormwater Management Plan. Whenever the Enforcement Authority believes that a Person has violated this Ordinance or the Post-Construction Stormwater Management Plan, the Enforcement Authority may enforce this Ordinance in accordance with 30-A M.R.S.A. § 4452.

B. NOTICE OF VIOLATION

Whenever the Enforcement Authority believes that a Person has violated this Ordinance or the Post-Construction Stormwater Management Plan, the Enforcement Authority may order compliance with this Ordinance or with the Post-Construction Stormwater Management Plan by written notice of violation to that Person indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:

1. The abatement of violations, and the cessation of practices, or operations in violation of this Ordinance or of the Post-Construction Stormwater Management Plan;
2. At the Person's expense, compliance with BMPs required as a condition of approval of the New Development, the repair of Stormwater Management Facilities and/or the restoration of any affected property; and/or
3. The payment of fines, of the Town's remediation costs and of the Town's reasonable administrative costs and attorneys' fees and costs.

If abatement of a violation, compliance with BMPs, repair of Stormwater Management Facilities and/or restoration of affected property is required, the notice shall set forth a deadline within which such abatement, compliance, repair and/or restoration must be completed.

C. PENALTIES/FINES/INJUNCTIVE RELIEF

Any Person who violates this Ordinance or the Post-Construction Stormwater Management Plan shall be subject to fines, penalties and orders for injunctive relief and shall be responsible for the Town's attorney's fees and costs, all in accordance with 30-A M.R.S.A. § 4452. Each day that such violation continues shall constitute a separate violation. Moreover, any Person who violates this Ordinance or the Post-Construction Stormwater Management Plan also shall be responsible for any and all fines, penalties, damages and costs, including, but not limited to attorneys' fees and costs, incurred by the Town for violation of federal and State environmental laws and regulations caused by or related to that Person's violation of this Ordinance or of the Post-Construction Stormwater Management Plan; this responsibility shall be in addition to any penalties, fines or injunctive relief imposed under this Chapter.

D. CONSENT AGREEMENT

The Enforcement Authority may, with the approval of the municipal officers, enter into a written consent agreement with the violator to address timely abatement of the violation(s) of this Ordinance or of the Post-Construction Stormwater Management Plan for the purposes of eliminating violations of this Ordinance or of the Post-Construction Stormwater Management Plan and of recovering fines, costs and fees without court action.

E. APPEAL OF NOTICE OF VIOLATION

Any Person receiving a Notice of Violation or suspension notice may appeal the determination of the Enforcement Authority to the Board of Appeals in accordance with the provisions of Section 603.4 of the Town's Zoning Ordinance. The notice of appeal must be received within 30 days from the date of receipt of the Notice of Violation.

The Board of Appeals shall hold a *de novo* hearing on the appeal within 30 days from the date of receipt of the notice of appeal. The Board of Appeals may affirm, reverse or modify the decision of the Enforcement Authority. A party aggrieved by the decision of the Board of Appeals may appeal that decision to the Maine Superior Court within 45 days of the date of the Board of Appeals decision pursuant to Rule 80B of the Maine Rules of Civil Procedure.

F. ENFORCEMENT MEASURES

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal to the Board of Appeals, within 45 days of a decision of the Board of Appeals affirming or modifying the Enforcement Authority's decision, then the Enforcement Authority may recommend to the municipal officers that the Town's attorney file an enforcement action in a Maine court of competent jurisdiction under Rule 80K of the Maine Rules of Civil Procedure.

ARTICLE V

A. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions, clauses, sentences, or paragraphs or application of this Ordinance.

B. BASIS

The Town of Cumberland enacts this Post-Construction Stormwater Management Control Ordinance (the "Ordinance") pursuant to 30-A M.R.S.A. § 3001 (municipal home rule ordinance authority), 38 M.R.S.A. § 413 (the "Wastewater Discharge Law"), 33 U.S.C. § 1251 *et seq.* (the "Clean Water Act"), and 40 CFR Part 122 (U.S. Environmental Protection Agency's regulations governing the National Pollutant Discharge Elimination System ("NPDES")). The Maine Department of Environmental Protection, through its promulgation of the "General Permit for the Discharge of

Stormwater from Small Municipal Separate Storm Sewer Systems,” has listed the Town of Cumberland as having a Regulated Small Municipal Separate Storm Sewer System (“Small MS4”); under this General Permit, listing as a Regulated Small MS4 necessitates enactment of this Ordinance as part of the Town’s Stormwater Management Program in order to satisfy the minimum control measures required by Part IV D 5 (“Post-construction stormwater management in new development and redevelopment”).

APPENDIX 1

**Maintenance Agreement for
Stormwater Management Facilities**

This Maintenance Agreement is made this ____ day of _____ 20__ by and between _____ and the Town of Cumberland, Maine.

The project name is _____.

The location is: _____, Cumberland, Maine.

The project's Tax Map and Lot Numbers are Tax Map _____ Lot _____

The project is shown on a plan entitled " _____ " dated _____ and most recently revised on _____, approved by the _____ [Municipal Permitting Board] on _____ and recorded in the _____ County Registry of Deeds in Plan Book _____ Page _____ (the "Project").

WHEREAS, the approval of the Project includes Stormwater Management Facilities which requires periodic maintenance; and

WHEREAS, in consideration of the approval of the Project the Town of Cumberland requires that periodic maintenance be performed on the Stormwater Management Facilities;

NOW, THEREFORE, in consideration of the mutual benefits accruing from the approval of the Project by the Town and the agreement of _____ to maintain the Stormwater Management Facilities, the parties hereby agree as follows:

1. _____, for itself, and its successors and assigns, agrees to the following:

(a) To inspect, clean, maintain, and repair the Stormwater Management Facilities, which includes, to the extent they exist, parking areas, catch basins, detention basins or ponds, drainage swales, pipes and related structures, at least annually, to prevent the build up and storage of sediment and debris in the system;

(b) To repair any deficiencies in the Stormwater Management Facilities noted during the annual inspection;

(c) To provide a summary report on the inspection, maintenance, and repair activities performed annually on the Stormwater Management Facilities to the Town Enforcement Authority;

(d) To allow access by Town personnel or the Town's designee for inspecting the Stormwater Management Facilities for conformance with these requirements.

(e) To create a homeowners' association for the purpose of maintaining the Stormwater Management Facilities.

2. Upon creation of the homeowners' association, the homeowners' association shall become responsible for compliance with the terms of this Agreement.

3. This Agreement shall constitute a covenant running with the land, and _____ shall reference this Agreement in all deeds to lots and/or units within the Project.

Witness

By: _____
Its:

TOWN OF CUMBERLAND

Witness

By: _____
Its:

STATE OF MAINE

_____, ss.

_____, 20__

Personally appeared the above-named _____, the _____ of _____, and acknowledged the foregoing Agreement to be said person's free act and deed in said capacity.

Before me,

Notary Public / Attorney at Law

Print Name:

STATE OF MAINE

_____, ss.

_____, 20__

Personally appeared the above-named _____, the
_____ of the Town of Cumberland, and acknowledged the foregoing
Agreement to be said his/her free act and deed in said capacity.

Before me,

Notary Public / Attorney at Law

Print Name:

APPENDIX 2

**Annual Stormwater Management Facilities Certification
(to be sent to Town's Enforcement Authority)**

I, _____ (print or type name), certify the following:

1. I am making this Annual Stormwater Management Facilities Certification for the following property: _____

(print or type name of subdivision, condominium or other development) located at _____ (print or type address), (the "Property");

2. The owner, operator, tenant, lessee or homeowners' association of the Property is: _____ (name(s) of owner, operator, tenant, lessee, homeowners' association or other party having control over the Property);

3. I am the owner, operator, tenant, lessee or president of the homeowners' association, or am a Qualified Post-Construction Stormwater Inspector hired by the same (circle one);

4. I have knowledge of erosion and stormwater control and have reviewed the approved Post-Construction Stormwater Management Plan for the Property;

5. On _____, 20__, I inspected or had inspected by _____, a Qualified Post-Construction Stormwater Inspector, the Stormwater Management Facilities, including but not limited to parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures required by the approved Post-Construction Stormwater Management Plan for the Property;

6. At the time of my inspection of the Stormwater Management Facilities on the Property, I or the Qualified Post-Construction Stormwater Inspector identified the following need(s) for routine maintenance or deficiencies in the Stormwater Management Facilities:

7. On _____, 20__, I took or had taken the following routine maintenance or the following corrective action(s) to address the deficiencies in the Stormwater Management Facilities stated in 6. above:

8. As of the date of this certification, the Stormwater Management Facilities are functioning as intended by the approved Post-Construction Stormwater Management Plan for the Property.

Date: _____, 20__.

By: _____
Signature

Print Name

STATE OF MAINE

_____, ss.

_____, 20__

Personally appeared the above-named _____, the _____ of _____, and acknowledged the foregoing Annual Certification to be said person's free act and deed in said capacity.

Before me,

Notary Public/Attorney at Law

Print Name: _____

Mail this certification to the Town's Enforcement Authority at the following address:

Code Enforcement Office
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

K:\M\Maine Municipal Association (12009)\Municipal Stormwater Ordinances (0003)\Revised Post-Const. Stormwater Ord. No Program 12-10-2008.doc

APPENDIX G

Sample Building Permit

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

BUILDING PERMIT

Town of Cumberland, Maine

MAP _____ LOT _____
Zoning District _____ Setback Overlay _____

PERMIT # _____

DATE APPLICATION RECEIVED _____

APPLICANT

NAME: _____ PHONE NO: _____
MAILING ADDRESS: _____

OWNER (other than applicant)

NAME: _____ PHONE NO: _____
MAILING ADDRESS: _____

CONTRACTOR

NAME: _____ PHONE NO: _____
MAILING ADDRESS: _____

PROPERTY LOCATION: _____

LOT DIMENSIONS: _____ x _____ Area: _____ Number of dwelling units: _____

PLUMBING: SEWER PERMIT ISSUED: yes no n/a - SEPTIC PERMIT ISSUED - yes no n/a

STREET OPENING: yes no n/a - PRIVATE WAY: yes no n/a - DRIVEWAY ENTRANCE - yes no n/a

PLANS FILED: SCALED PLOT PLAN - yes FULL CONSTRUCTION DRAWINGS - yes

DESCRIPTION OF PROPOSED CONSTRUCTION: _____

SETBACK: FRONT YARD _____ SIDE YARD _____ OTHER SIDE YARD _____ REAR YARD _____

BUILDING: Length: _____ ft. Width: _____ ft. Height: _____ ft. Area: _____ sq. ft.

SHORELAND OVERLAY DISTRICT: yes no RESOURCE PROTECTION DISTRICT: yes no

FLOODPLAIN PERMIT _____ NOTICE OF INTENT (DEP) ME CONST. GENERAL PERMIT _____

ESTIMATED COST OF CONSTRUCTION : \$ _____ PERMIT FEE: \$ _____

Owner/Agent signature: _____ Date signed: _____

Office use only: TYPE OF CONSTRUCTION: _____ USE GROUP _____

CONDITIONS OF APPROVAL: _____

Date Permit Issued: _____

CODE ENFORCEMENT OFFICER

Original-File -Photo copy to Applicant

rev.4/06

Building Permit Application Checklist
**** All building plans must meet or exceed**
Building Codes - IRC-2003 and IBC – 2003**

- **New Home:**
- **Growth Permit \$100.00**
- **Impact Fee Application - \$1.36 per sq. ft. minus first 500 sq. ft.**
- **BUILDING PERMIT APPLICATION and FEE (Finished Areas .25 / per sq. ft. – Unfinished areas .10 / per sq. ft.)**
- **Septic Permit - 3 SIGNED COPIES OF HHE-200 Plans and Fee (non-engineered (\$150.00) or Sewer permit and fee (\$50.00)**
- **Deed for the Property**
- **2 copies of construction plans (full size for mark up, 11x17 to be kept by the office)**
- **Plans must include:**
- **4 elevations**
- **Framing cross-section (including sizes of structural members)**
- **Foundation Plan**
- **Floor plan (each room's use labeled)**
- **Structural steel, ridges, beams involving LVL's, or Paralam's, (stamped by engineer)**
- **Plot Plan; lot size and accurate locations of all existing and proposed structures with set-backs (PER SCALE NOTED ON PLOT PLAN), and drainage.**

* Please be aware that structurally complicated buildings must be reviewed by an Engineer.

* Additional trade permits will be necessary (electrical, plumbing etc.)

Renovations & Additions: **\$10.00 per \$1,000.00 of Renovation Cost**

<u>New Construction: Residential</u>	<u>Minimum Fee</u>	<u>\$50.00</u>
	<u>Finished areas</u>	<u>.25 / per sq. ft.</u>
	<u>Unfinished areas</u>	<u>.10 / per sq. ft.</u>

<u>New Construction Commercial</u>	<u>Minimum Fee</u>	<u>\$100.00</u>
	<u>Finished Areas</u>	<u>.30 / per sq. ft.</u>
	<u>Unfinished Areas</u>	<u>.10 / per sq. ft.</u>

- **Floor plans showing existing structure and proposed changes**
- **Framing cross sections (including sizes of structural members)**
- **Plot Plan; lot size and accurate locations of all existing and proposed structures with set-backs (PER SCALE ON PLOT PLAN), and drainage.**
- **Completed building permit APPLICATION (other side) \$10.00 per \$1,000.00**

Sheds & Decks **\$25.00**

(up to 400 sq. ft. then .10 per sq. ft. additional)

Demolition Permits **\$25.00 (10-day waiting period)**

Shoreland Permits: The Shoreland Overlay District (SOD) is generally 250 feet from rivers, streams or saltwater bodies and their associated wetlands where shown on the official Zoning Map, also 75 feet from certain streams - See Zoning Ordinance. All requests for Building Permits in the SOD require a Shoreland Permit prior to issuance of the Building Permit.

Maine Construction General Permit:

Effective 2-17-03 a "NOTICE OF INTENT" maybe required if your construction will result in disturbance of greater than or equal to one acre.(To be filed with the DEP)

APPENDIX H

Sample Literature

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

Maine Erosion and Sedimentation Control Law

Did you know that the number one pollutant in Maine's rivers, streams, brooks, ponds and wetlands is soil from nearby eroding sites?

Under this law, landowners are required to repair their eroding areas to prevent any soil loss and sediment discharge into a nearby natural resource.

The full text of the Maine Erosion and Sediment Control Law (Title 38 M.R.S.A. Section 420-C) may be seen at:

<http://www.maine.gov/dep/blwq/docstand/stormwater/stormstat.pdf>

Do you Need Help?

Assistance and guidance on how erosion may be prevented or stopped may be obtained from:

- Your nearest office of the Maine Department of Environmental Protection. Or call (207) 287-3901;
- Your county's Soil and Water Conservation District;
- Your Lake Watershed Association; and
- Contractors certified by DEP in erosion and sediment control practices (list available from the DEP).

Comply with the Maine Erosion and Sediment Control Law

Stabilize your bare soils

Protect Maine's water for future enjoyment

IT'S THE LAW !

Department of
Environmental
Protection
Deplw0652-2004



What is Soil Erosion?

Every time mineral soil is exposed, it is subject to movement from wind and rain erosion.

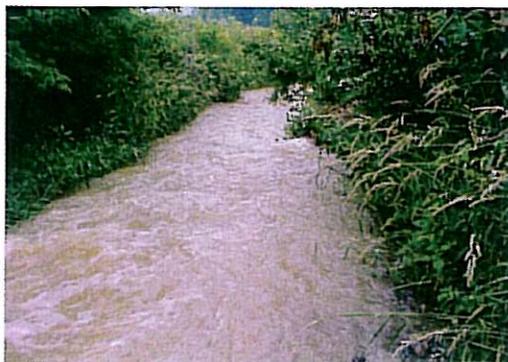
Because most runoff reaches a stream, river, lake or coastal water, eroded soils and other pollutants can get transported and deposited into these resources.

The visible impacts from eroded soils include rills, gullies, and muddy water.

The invisible impact from eroded soils is the change or loss of habitat used by fish or other creatures, impaired recreational opportunities and fouling of a drinking water source.

A 2003 study showed that

- Almost half (43%) of all construction sites did not use erosion or sedimentation control measures,
- And more than half (60%) of the chronic erosion problems are from public and private roads.



Erosion from Construction

In 1997, the Erosion and Sedimentation Control Law came into effect. It was designed to prevent Maine's waterbodies from further degradation due to soil erosion.

Since July 1997, construction projects of any size must have:

- Sediment control measures, such as silt fence or hay bales, placed at the down gradient side of the construction site before work begins.
- Erosion control measures, such as mulch and vegetation, placed as soon as feasible to permanently stabilize the site when construction is completed.

Preventing the loss of soil from a construction site saves money that would otherwise be needed to rework eroded areas and replace lost soil. It also prevents soil from impacting the quality of our water resources.



Chronic Erosion

As of July 1, 2005, an important change will occur in the law. From that time on, all existing chronic erosion problems in watersheds most-at-risk (as defined in the DEP rules) will be regulated.

See: www.maine.gov/sos/cec/rcn/apa/06/096/096c502.doc.

On July 1, 2010, the law will apply to all organized areas in the state of Maine and landowners will have to fix their erosion problems.

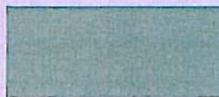
Examples of chronic erosion problems include:

- Camp roads that wash out every spring;
- Culverts that are washing out around their inlets and outlets;
- Ditches and embankments that are not stabilized with vegetation or riprap and show major rills and gullies; and
- Washouts in areas downgradient from any point of concentrated stormwater runoff.





Maine's Department of Environmental Protection is committed to providing Maine citizens with complete information about, and opportunities to express their opinions regarding, decisions on applications for environmental licenses. The different ways that people can participate described here are specified in Maine statutes and rules that govern the Department's operations.



The information provided in this brochure briefly summarizes rules and guidance that are more specifically detailed in "Rules Concerning the Processing of Applications and Other Administrative Matters," Chapter 2 of the Department's rules, and as such should not be considered complete or authoritative. All Maine DEP rules and laws are available *via* the internet by following the links provided at:

www.maine.gov/dep/permits.htm



If you have questions or need additional information, contact the Department at 287-7688, or toll-free 1-800-452-1942

17 State House Station
 Augusta, Maine 04333-0017
 E-mail: infoDEP@maine.gov

State of Maine
**Department of
 Environmental
 Protection**



STATE ENVIRONMENTAL LICENSING



A Citizen's Guide to Participation



If you have questions or need additional information, contact the Department at 287-7688, or toll-free 1-800-452-1942

What does the DEP license?

The Maine Department of Environmental Protection reviews a wide variety of activities having the potential to impact Maine's environment. Businesses, institutions, organizations, and individuals all are possible applicants for a license (also referred to as a permit, approval, certification, etc.). Some licenses define the limits under which land development may take place, particularly near protected resources. Other licenses serve to control the management, discharge, transportation, and storage of potential pollutants. These include oil and hazardous materials, solid waste, sewage, air pollutants, and stormwater, among others.

How are licenses issued?

DEP provides application forms for the activities regulated under State law. Application information and public notice requirements, including notification of abutting property owners, vary with the nature of the proposed activity.

Once the DEP receives an application, it must accept it for processing or return it as incomplete within 15 working days. If accepted as complete, DEP staff review the application and all comments submitted by outside parties, to assess potential impacts on the environment. They further evaluate the applicant's ability to build and operate

the proposed project in compliance with environmental laws and rules. When review is complete, the Commissioner of the DEP or the Board of Environmental Protection makes the final license decision (approval or denial). Approved licenses frequently include specific conditions with which the licensee must comply.



How can I take part in the process?

Interested members of the public can

- ◆ Review the application materials submitted by the applicant at the DEP or in some cases at the local town office;
- ◆ Attend public informational meetings, if held, at which they may ask questions;
- ◆ Submit written comments at any point during the time when the application is being reviewed;
- ◆ Ask to receive a draft license, and provide comments prior to final action;
- ◆ Request a public hearing; and/or
- ◆ Request that the Board take over evaluation of the application from the Department. [Deadlines apply] See guidance at www.maine.gov/dep/bep.

Do all applications get a public hearing?

No. Most applications are issued without a public hearing. A "public hearing" is a formal proceeding, governed by strict rules, during which the DEP accepts testimony and evidence from the applicant, parties who support or oppose the project, and the general public. State law requires a public hearing for certain applications, such as a commercial hazardous waste facility; however, anyone may request a public hearing regarding other types of applications. The Commissioner or the Board then decides whether one will be held.

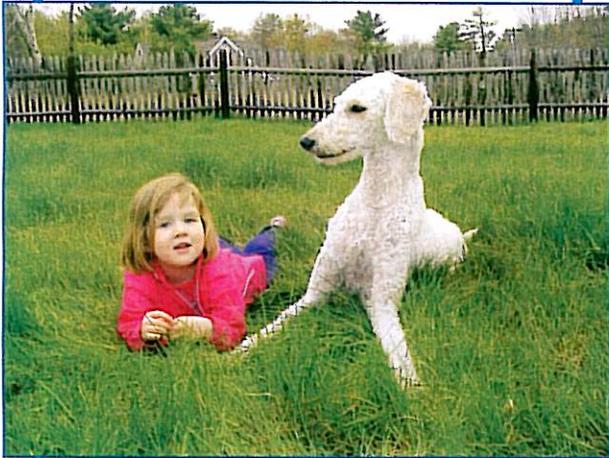
Many applications that aren't required by law to have a public hearing are required to have a "public informational meeting" at which the applicant explains the project and the public may ask questions. At this type of meeting, the DEP may invite the public to discuss the application; however, comments must be provided in writing in order to be considered in the application review process. Applications that require informational meetings include, among others, new Site Location of Development permits; major new air emissions permits; and new or expanded waste disposal facility licenses.

May licenses be appealed?

Yes, but certain criteria must be met for an appeal to proceed. Also, there is a limited time during which an appeal may be filed. See Chapter 2, section 24(B) of the DEP's rules.

Why should you YardScape?

- ✓ Saves money.
- ✓ Saves time.
- ✓ Protects you, your family and the environment.



A healthy, natural lawn is more resistant to weeds, bugs, disease and drought!

Call the Conservation District for
YardScaping info:
892-4700

Check out:
www.cumberlandswcd.org
Click on the ducky!

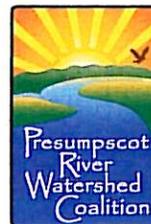


The Maine YardScaping Partnership was formed out of the rising concern over the pollution caused by yard care chemicals washing away into water bodies, as well as the risks of pesticide exposure to people, pets and wildlife.




Cumberland County
Soil & Water Conservation District


Casco Bay Estuary
PARTNERSHIP



Do you want
a lush
green lawn
safe for kids
and pets?



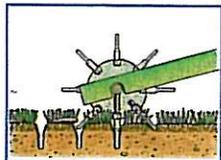
Let the ducky
point you in
the right
direction!

What is YardScaping?

YardScaping is a statewide effort to inspire Maine people to maintain their yards for the safety of kids, pets and the environment by reducing the use of fertilizers, pesticides and herbicides.

YardScaping Tips!

- ✓ **Mow High:** Three inches is the rule! Longer grass strengthens roots, retains more moisture and makes it difficult for weeds to germinate.
- ✓ **Aerate:** An aerator loosens up the soil and gets the air, water and nutrients more readily to the roots. Rent one with a neighbor or hire a professional.



- ✓ **Overseed:** Throw down more grass seed to give your lawn a natural boost. Ask for a low maintenance mix that is drought tolerant and needs no fertilizer.

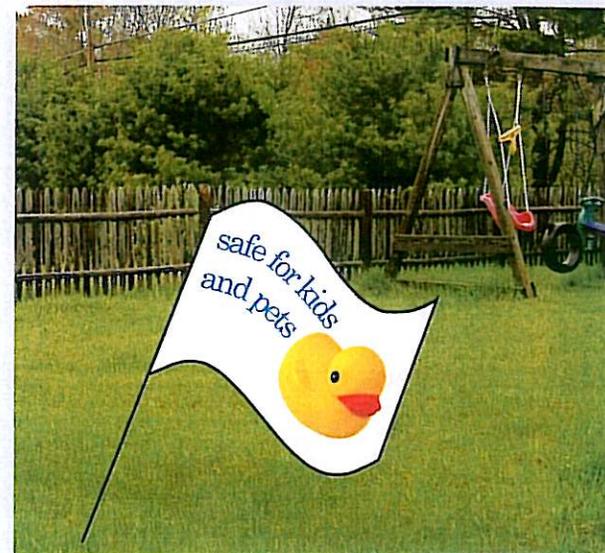


- ✓ **Test the Soil:** A soil test analyzes soil fertility and pH and recommends exactly what your soil needs for growing healthy grass. Test kits available from the Cumberland County Soil and Water Conservation District. Call 892-4700.

More YardScaping Tips Online!

www.cumberlandswcd.org

Click on the ducky!



What do YOU do?

- ✓ Start YardScaping today!
- ✓ Visit our website for upcoming events and giveaways.
- ✓ Call the Conservation District for lawn care advice: 892-4700.
- ✓ Proudly display your free ducky lawn flag so friends and family know you have a safe, healthy lawn. Sign our lawn care pledge online or call 892-4700.

APPENDIX I

Sample Tracking Spreadsheet for Disturbed Areas
Greater Than One Acre

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

APPENDIX J

Sample Tracking Spreadsheet for Notice of
Violation (NOV's)

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

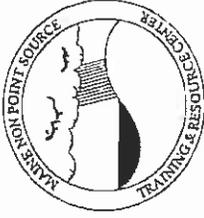
APPENDIX K

William Longley Training Certificates

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010



Maine Nonpoint Source Training & Resource Center



Certificate of Completion

Presented to

Bill Longley

For successful completion of training in a 7 hour course entitled

Maintenance and Inspection of Stormwater BMPs

December 17th, 2009

Date

William LaFlamme

Coordinator, Nonpoint Source Training & Resource Center

State of Maine

Executive Branch – Maine State Planning Office

Municipal Code Enforcement Certification

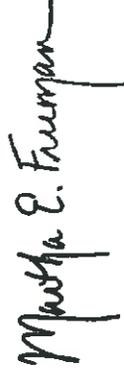
Certifies

William Longley, Jr.

To perform duties as Local Plumbing Inspector

Certification no.: 203

Certification expiration date: 1/31/2013



Martha Freeman, Executive Director

State of Maine

Executive Branch – Maine State Planning Office

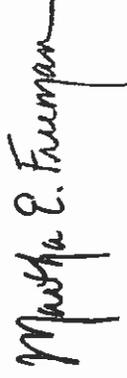
Municipal Code Enforcement Certification

Certifies

William Longley, Jr.

To perform duties as code enforcement officers in the areas of

Building Standards ~ Shoreland Zoning ~ Land Use



Certification no.: 138

Certification expiration date: 1/31/2013

Martha Freeman, Executive Director



Certificate of Attendance

This certifies that

Bill Longley

Attended the Maine Association of Wetland Scientists
VERNAL POOL WORKSHOP

On February 6, 2009

And is eligible to receive 1 CEU credit under the New Hampshire Certified Wetland Scientist accreditation and 3 CEU credits in the area of Land Use for Code Enforcement Officers by the State Planning Office.

Jennifer West

Jennifer West
Program Chair
Maine Association of Wetland Scientists

International Code Council

in recognition of participation in
RESIDENTIAL INSPECTION INSTITUTE

- 2009 IRC Performing Residential Building Inspections
- 2009 IRC Performing Residential Plumbing Inspections
- 2009 IRC Performing Residential Mechanical Inspections
- 2009 IRC Performing Residential Electrical Inspections

Given this 23rd Day of April, 2010

in Burlington, VT

to

William Longley

Michael J. Longley
Senior Vice President, Member Services

Michael J. Longley
President, Board of Directors



International Code Council

in recognition of participation in
2009 IRC UPDATE

at

LEWISTON, ME

on

MAY 3, 2010

and Awards 0.3 ICC C.E.U.s — 3 Contact Hours

to

William Longley Jr

Student's Signature

Michael J. Longley
Senior Vice President, Member Services

STEVE VAN NOTE
Instructor



Florida: 5007436



AIA: IC7603

HSW: Y

Ohio: BBS 2007-506 BO,MPE,BI,RBO,RPE,RBI

APPENDIX L

Ocean Outfall Monitoring Report

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

The Town of Cumberland has a variety of marine resources, including approximately four miles of coastline on the mainland and two small islands. Key resources along the coastline include shellfish and worm harvesting areas, dense eel Grass beds, tidal waterfowl and wading bird habitats, and seabird nesting area's. The town's shoreline is also home to a large number of horseshoe crabs.

The town has typically issued 11 (10 resident and 1 non-resident commercial shellfish harvesting permits and 280 recreational licenses, 50 of which were reserved for after June 1st.

In July 2007 The Town of Cumberland and Chebeague Island split, Chebeague Island becoming their own town. This change significantly altered our marine resources of the town. Virtually all commercial fishing and lobstering in Cumberland, and most marine related business, has been based on Chebeague. Mainland Cumberland has no publicly owned areas for a pier and no deep water access for a harbor. Cumberland also has no direct access to a public beach. There are many boats registered in the town that have to be moored elsewhere.

The Cumberland Police Department along with The Department of Marine resources has been involved in the testing of our shoreline waters for many years. Beginning in the fall of 2008 we were informed that our water quality for the continuing of harvesting of shellfish was beginning to show an increase of bacteria. The testing that was being done by DMR indicated an increase of fecal coliform. Fecal coliform can come from a variety of sources, including but not limited to animal waste. We were also told that water drainage systems including catch basins could be washing pollutants into our areas.

During the winter of 2008/2009 members of our department along with our IT director Mike Crosby attended classes to certify us thru DMR to become volunteer water samplers. These classes consisted of classroom time as well as site survey and the actual taking of samples for the direct purpose of fecal coliform testing. During the winter we contacted Friends of Casco Bay, Maine's Healthy Beach program, The University of Southern Maine and also Southern Maine Community College in hopes that one of these three groups could assist us in attempting to locate the source of the increased pollution. Members attended training at Southern Maine Community College where they learned how to perform shoreline surveys. Shoreline surveys are used to determine where and how pollutants may be entering our bay area thru either public means, culverts, catch basins etc. or private entities, overboard discharge units, residential sump pumps or grey water type devices. During this training we were put in touch with Portland Water District, in an effort to utilize their testing services and expertise on the fecal coliform issue. When contacted we met on several occasions and showed them our results to date as supplied by DMR. During our discussions we mapped out a sampling strategy based on what we felt were problem areas along our shoreline. Our goal was to mirror the testing that DMR performs but also we wanted to get more sampling done on our own to attempt to isolate those areas where we showed increase in fecal coliform.

During the spring of 2009 along with Portland Water District did two sets of water quality testing. samples were taken at approximately 8 pre determined sites and turned over to PWD for their lab to analyze. During our survey work we discovered several areas of concern. There were locations where unknown pipes were coming out of the ground and actual flow of water was running onto either rocky ledges or directly onto the sand. We determined by attempting to

follow these pipes that these were private homes and not public use pipes. We even found a plastic trash can with lid, when we opened the trash can inside were wet plastic bags of what appeared to be dog waste. Our shoreline walk also noted a alarming amount of deer feces in the area, this could also add to our water quality problem. Our most alarming find was the amount of ducks, and geese located in the waters known as Broad Cove, this area lies on the border of Yarmouth and has historically been a problem site with DMR water quality testing and the presence of fecal coliform. In looking at the area and the lack of tidal movement this appears to be a problem that we can't even begin to fathom. The area is prime feeding ground for waterfowl and is privately owned. There is a stream that runs from a farm area and the entire area is surrounded by tall eel grass and woods.

During the summer of 2009 we have continued to monitor the water quality with sampling done by us and turned over to DMR for their lab. These sampling results have shown an increase in fecal coliform to the point where our shellfish flats will be closed for the remainder of 2009 and quite possibly into 2010. Cumberland has a 2 sampling points recognized by DMR. Our long term goal is to get DMR to add two more sampling points to our area. Our hope is by adding more points we could put the Broad Cove area and its continued bad water quality out of the equation and have the rest of Cumberland open to shellfish harvesting. I am in the process of researching grant monies to assist in either additional water quality, mitigation strategies or even educational materials to better educate the general public on our water quality. The Town of Cumberland also purchased a incubation unit for our use. We have performed our own testing looking for e-coli bacteria and other coliforms. Testing was done at Cumberland Town landing, Long Meadow, Seacove, Payson Point and at the head of Broad Cove adjacent to the Yarmouth pump station.

PHOTO KEY FOR WATER QUALITY SAMPLING

1. Runoff of unknown origin Wildwood Beach
2. Extended runoff on Wildwood Beach
3. Members along with Portland Water District taking water samples
4. Plastic garbage can with dog waste inside Wildwood Beach
5. Cumberland Town Landing culvert from Route 88
6. Runoff from unknown source north of Town Landing Road
7. Close-up of unknown runoff north of Town Landing Road
8. Mike Crosby taking sample from Fells Brook, North of Town Landing Road
9. Sample being taken from unknown pipe located adjacent to old Town landing road
10. Close-up of sample location 9
11. Culvert of unknown origin leeching out into Broad cove from the Ferne Lane area
12. Cobblestone pipe system located off Ferne Lane
13. Pipe coming from the banking into Broad Cove from Broad Cove Meadows area











5

















APPENDIX M

List of Municipal Operations in the Urban Area

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010

**Town of Cumberland
Municipal Operations in the Urban Area**

<u>Facility</u>	<u>Location</u>	<u>Size</u>	<u>Scope of Work</u>
Public Works Garage	Drowne Road	8000 sq ft	Vehicle Maintenance, Painting, Welding Salt Storage, Vehicle Storage
SAD 51 Bus Maintenance Facility	Drowne Road	3200 sq ft	Bus Maintenance, Vehicle Storage
Twin Brook Maintenance Facility	Tuttle Road	2500 sq ft	Lawn Mower and Fertilizer Storage
Valhalla Golf Course Maintenance Facility	Valhalla Road	1500 sq ft	Light Mower maintenance, Fertilizer Storage Pesticide Storage

APPENDIX N

Open Letter to Cumberland Residents

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

Telephone (207) 829-5559 • Fax (207) 829-2214

Dear Cumberland Resident:

As you may be aware, the shellfish areas managed by the Town of Cumberland were closed for the 2009 season. This action was necessary after water quality tests administered by the Department of Marine Resources revealed elevated levels of fecal coliform.

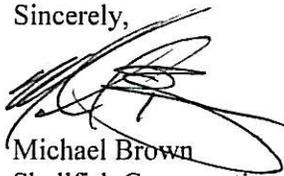
While we are happy to report that ongoing testing has demonstrated some overall improvement, at this time the flats remain closed to shellfish harvesting. We will continue to work cooperatively with the State, and are collaborating on ideas that will enable us to open at least a portion of the flats as soon as we can do so safely.

Citizens of Cumberland, and its watershed, are encouraged to refrain from using artificial fertilizers, herbicides, pesticides and fungicides on their lawns as this is likely contributing to the destruction of the shellfish beds on our coastline. Though this outbreak's cause has not been specifically identified, we know that nutrient loading and runoff exacerbate planktonic blooms such as the red tide that occurred this past summer. Also, many of the fungicides and herbicides sold for lawn care and home use can kill crustaceans and arthropods, immediately impacting commercial and recreational fishing and shellfish harvesting. Please talk to the experts at your local nursery or natural lawn care service for alternative and organic fertilizer recommendations. Citizens should also consider supporting town efforts to eliminate out dated and faulty septic systems, and encourage public sewer systems and their modern upgrade when applicable. Sewer upgrades are expensive, but this is the only way to assure that a healthy Cumberland coastline will exist for the many uses it supports.

Town and state officials are expected to conduct shoreline surveys this spring, including field inspections of coastal properties and the collection of additional effluent samples (including pollution source tracing samples of streams, pipes, etc.) to determine their impact on the shellfish growing area. We hope that people will support a better Cumberland by their individual actions and by supporting community efforts at cleanup.

We will have more targeted information on point and/or non-point pollution sources affecting Cumberland's coast after this survey is completed. You are encouraged to check our web site (www.cumberlandmaine.com) for more information, as we will post the surveys and its findings, as well as the Shellfish Conservation Commission minutes and updates on the site.

Sincerely,



Michael Brown
Shellfish Conservation Commission Chairman

APPENDIX O

Operation and Maintenance Procedures for Town
facilities

Town of Cumberland
Stormwater Program Management Plan
Permit Year 2 Annual Report
July 1, 2009 to June 30, 2010



OPERATION AND MAINTENANCE PROCEDURES FOR TWIN BROOKS RECREATION FACILITY

Revision June 29, 2010



Train employees and subcontractors annually on O&M Procedures
Train new employees within six months of hire

VEHICLE & EQUIPMENT: FUELING, WASHING & STORAGE (tractors, lawn mowers, golf carts, trimmers, weed whackers, blowers, etc)

Always:

- When fueling must be done in the field, do so over a paved or concrete area well away from any storm drains or ditches. When pouring fuel from a jerry can, use a funnel.
- Maintain all fueling equipment in good working order. Conduct preventive maintenance.
- Conduct regular inspections of the fueling area and clean up any spills and absorbent on the ground.
- Use drip pans under leaking equipment.
- Completely drain oil filters before disposal by poking a hole in the top and allowing it to drain for 24 hrs.
- Clean up all spills and leaks immediately with soil, sand, rags or paper towels. Keep others away from the spill and make sure it does not run off into other areas. Scoop all into a leak-proof container and properly dispose of it.
- Keep “clean-up supplies” such as a containment drum, kitty litter, sand, sawdust, a shovel, a broom and dustpan in your storage facility and ready to use.
- Place stockpiled materials away from ledge or rock outcrops, storm drains, ditches and surface waters.

When Possible:

- Perform all fueling activities for lawn care equipment in an enclosed building with closed drainage.
- Keep stockpiles under cover or use erosion control mulch to contain.
- Reduce the amount of liquid cleaning agents used or use low phosphate or phosphate free products.
- Conduct maintenance within a building or covered area.
- Park vehicles/equipment indoors or under a roof.
- Wash equipment/vehicles in a designated area that is permeable or drains to a buffer and does not directly drain to a ditch or water body.
- Discharge all wash water containing degreasers, acids, bases, and or metal brighteners to an on site treatment facility, the sanitary sewer in accordance with the treatment plant standards, or an approved holding tank.
- Drain fluid from stored/salvaged vehicles/equipment.

Never:

- Never allow “topping off” of fuel tanks.
- Never allow drivers or operators to leave their vehicles or equipment unattended while fueling.
- Never dump gas, wastes or contaminated water down storm drains.
- Never refuel or change the mower oil near storm drains.
- Never hose down the work area unless the runoff will either be directed to an oil/ water separator and discharged into the city’s sanitary sewer system or contained and disposed of as a hazardous waste.

FERTILIZERS:

Always:

- Keep records/documentation of all materials applied and when.
- Check the weather forecast and apply according to product instructions as to whether to apply dry or lightly watered in.
- Store in closed containers labeled with contents and purchase date.
- Keep containers in a secure building enclosure and clean as needed.
- Always routinely inspect storage area for leaks, spills, residue, and trash.
- If fertilizer accidentally ends up on pavement, always sweep it up as and put it back in the bag.
- Consider a low or no fertilizer approach to maintain turf.
- Perform a soil test to determine actual fertilization needs and application rate.

FERTILIZERS, Continued:

Whenever possible:

- Calibrate fertilizer spreaders to avoid excessive application.
- When fertilizer is needed, use slow or timed release nitrogen sources.

Never:

- Never apply fertilizers within five feet of pavement, 25 feet of a storm drain inlet, or 50 feet of a stream or water body.

PESTICIDES

Always:

- Use a licensed commercial pesticide company or licensed personnel for pesticide application, storage and disposal.

LANDSCAPING PRACTICES (mowing, irrigation, etc)

Always:

- Mow only as low as needed for the area's intended use. If areas are not being used, allow to return to meadow or field and mow once or twice per year rather than every week.
- Keep mower blades sharpened to avoid damaging grass leaf tissue.
- Remove any grass clippings off of paved surfaces and return to the grassed area.
- Water at appropriate times (when no rain is forecasted and in the morning).

When Possible:

- Use mulching type mowers if available.
- Re-seed and mulch area where soils are exposed.
- Mow when the grass is dry to prevent spread of turf diseases.

Never:

- Never use leaf blowers to blow waste into storm drains or ditches. Only blow into streets when it will be picked up within 24-48 hours or prior to a rain or heavy wind event.
- Never irrigate based on timers or schedules instead of monitoring for rainfall.

SPILL CLEAN UP: (crude oil, gasoline, heating oil, various fuel oils, lubricating oil, hydraulic oil, asphaltic residuals)

Always:

- Stop the source of the spill and contain any liquids, if possible to safely do so.
- Contact the MDEP to report **any size spill**.
 - **MDEP Petroleum Products Spill Response: 1-800-482-0777**
 - **MDEP Hazardous Material (non-oil spill): 1-800-452-4664**
- Report any discharge of hazardous waste immediately, (within one hour) to local emergency officials [fire department], then contact **MDEP Hazardous Material Department** (as described above).
 - Hazardous materials spills involve non-oil spills that pose a threat to human health or the environment, such as chemical releases.
- Cover the spill with absorbent material such as kitty litter, sawdust, or oil absorbent pads. Do not use straw or water.
- Notify Cumberland's Director of Operations as soon as possible for documentation of spill and spill response.

WILDLIFE: (DUCKS, GEESE, GULLS, ETC)

Facts:

- Wildlife always have plenty of natural food sources
- They do not need Wonder Bread, French fries or pretzels (these foods provide no nutritional value to wildlife)
- Wildlife's' most common instinct is "fear of humans"
 - If this instinct is lost-wildlife could be hurt or killed and humans put themselves at risk too
- Birds and other animals that have a steady diet of human food are overweight and undernourished.

More than meets the eye:

- The animals you feed aren't the only animals you may impact;
 - Bald Eagles eat ducks, which impacts the food chain (unhealthy ducks result in unhealthy eagles).
 - Sometimes a French fry, pretzel, etc., can get caught in their windpipes and actually split the esophagus causing the animal to die.

Never:

- Never feed wild animals and birds.

TRAIL MAINTENANCE:

Always keep water off trails by:

- Installing rock or wood water bars to divert runoff into vegetated areas
- Installing water bars at a 45 degree angle
- Using drainage dips, swales or cross ditches to divert water from trails

Maintain Best Management Practices by:

- Cleaning and clearing out sediment and debris.
- Clearing blow downs
- Keeping trails free of brush

EROSION AND SEDIMENT CONTROL:

Always:

- Use erosion control techniques or devices to stabilize disturbed areas.
- Use effective site planning to avoid sensitive areas.
- Keep land disturbance to a minimum.
- Install, inspect and maintain erosion control devices properly.
- Minimize slope lengths.
- Prevent erosion by covering bare soil with mulch or other cover.

Whenever Possible:

- Protect natural vegetation, especially near water bodies, wetlands, and steep slopes.
- Establish vegetative cover with good root systems prior to freeze/thaw cycles.

Never:

- Never divert runoff into a sensitive area.



OPERATION AND MAINTENANCE PROCEDURES FOR VALHALLA GOLF COURSE FACILITY

Revision June 29, 2010



Train employees and subcontractors annually on O&M Procedures
Train new employees within six months of hire

VEHICLE & EQUIPMENT: FUELING, WASHING & STORAGE (golf carts, tractors, lawn mowers, trimmers, weed whackers, blowers, etc)

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