

# How is Cape Elizabeth meeting these Clean Water Act requirements?

The Town of Cape Elizabeth is working hard to comply with stormwater permit requirements. Responsibilities of departments within Cape Elizabeth are summarized below.

## Public Works

**Primary Point of Contact: Jay Reynolds, Public Works Director**

- Oversees inspection and maintenance of municipal stormwater infrastructure.
- Oversees creation and updating of stormwater infrastructure maps.
- Coordinates implementation of Cape Elizabeth’s Stormwater Management Plan through coordination with all municipal departments and serves as the stormwater program point of contact (POC) with DEP.
- Identifies possible pollution sources within the community and works to eliminate these sources.
- Ensures staff are trained in proper procedures for minimizing pollution, including but not limited to: chemical storage, spill prevention and clean up, and use of erosion control measures.
- Works with Planning and third party reviewers to ensure site plan proposals contain appropriate erosion and sediment control plans, stormwater designs that appropriately collect and treat stormwater, and post construction monitoring plans.
- Requires that a Third-Party Inspector review construction activities for compliance with the plans that were submitted and approved.
- Through technical review and permitting follow-up, ensures stormwater systems are maintained and functioning after construction is complete.
- Enforces Non-stormwater discharge ordinance when necessary.

## Public Works Staff

- Follow pollution prevention measures at the parks and recreation facilities, public works garage and transfer station to ensure that municipal operations at these facilities do not pollute nearby water resources.
- Use proper erosion and sedimentation control measures during construction and maintenance.
- Conduct opportunistic and regularly scheduled inspections of outfalls, ditches, and catch basins to assess for illicit discharges and maintenance needs.

## Planning

**Primary Point of Contact: Maureen O’Meara, Planner**

- Ensures site plans contain all proper submittals including erosion and sedimentation control plans and stormwater management plans where required.
- Informs developers or applicants of construction and post construction requirements when applicable.
- Informs developers of the benefits of using Low Impact Development, which minimizes environmental impact from development.

## Code Enforcement

**Primary Point of Contact: Ben McDougal, Code Enforcement Officer**




- Inspects small-scale (e.g. single family homes) construction projects (on both public and private property) to ensure proper erosion and sedimentation control practices are being used and pollutants are not entering the City’s MS4.
- Identifies possible pollution sources within the community and notifies Cape Elizabeth’s MS4 POC for DEP.
- Informs developers or applicants of construction and post construction requirements when applicable.


## Public Safety

**Primary Points of Contact: Paul Fenton, Police Chief and Peter Gleeson, Fire Chief**

- Follow operation and maintenance plans for their facilities to ensure activities do not pollute water resources.
- Identify possible pollution sources within the community and notify Cape Elizabeth’s MS4 POC for DEP.
- Ensure staff are trained for minimizing pollution, including: chemical storage and spill prevention and clean up.

The **Interlocal Stormwater Working Group (ISWG)** is comprised of 14 regulated communities and 2 nested MS4s in the Greater Portland and Saco Bay areas (see map on Page 2). ISWG is coordinated by Cumberland County Soil & Water Conservation District and works cooperatively to meet the permit’s education requirements (steps 1 & 2) for all ISWG members.





### What is stormwater runoff?

Stormwater runoff is precipitation (rain or melted snow) that flows over land. Stormwater can pick up pollutants as it runs off the land into lakes, streams, rivers, and the ocean; this is called polluted runoff. Storm drains collect runoff and carries it without treatment directly into water bodies. Polluted runoff affects drinking water, human health, wildlife, and property values.

### What are common stormwater pollutants?





**Soil, sand, and sediments** cloud the water and smother wildlife habitat.

**Chemicals** (fertilizer, weed & bug killers (pesticides), vehicle fluids, coal tar pavement sealers, etc.) are carried with runoff and can be toxic to wildlife.

**Pet waste** contains bacteria that can wash into swimming areas and create health hazards, and may contribute to beach closures. It also contains nutrients that contribute to harmful algae blooms.

**Salt** is spread on roads, sidewalks, and parking lots to melt snow and ice and dissolves in water or snowmelt. Once salt gets into our water it cannot be removed. Salt in our fresh waterways can be toxic to wildlife.

**Debris**, like cigarette butts, plastic bags, and other forms of litter, is unsightly and harms wildlife.



# What is an MS4?

**MUNICIPAL SEPARATE STORM SEWER SYSTEM**, or MS4, means a stormwater system that is separated from sanitary sewer systems. The storm sewer system includes roads, curbs and gutters, ditches, catch basins, storm drains, outfalls, and pipes connecting these features.

Your municipality has a **CLEAN WATER ACT PERMIT** that is administered by the Maine Department of Environmental Protection (DEP) that allows you to discharge runoff into water bodies if measures are taken to minimize pollution from your storm sewer system and municipal facilities and operations. This permit is referred to as the Maine Pollutant Discharge Elimination System (MEPDES) MS4 Permit.



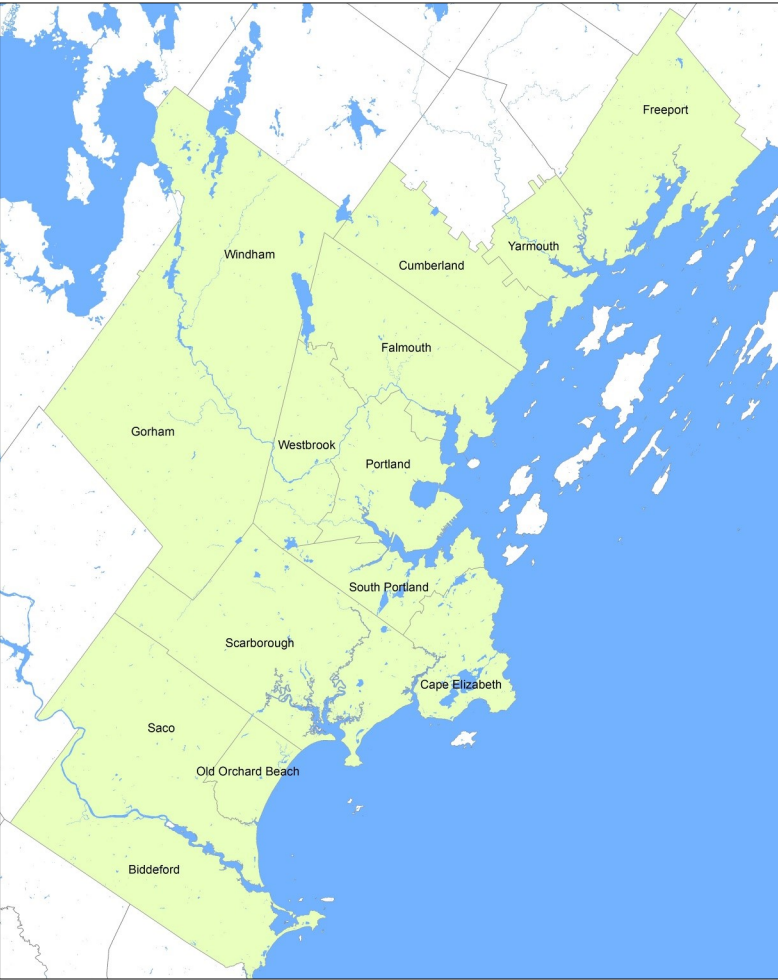
*Under the Federal CLEAN WATER ACT, some municipalities must have a permit that allows them to direct stormwater to water bodies in their communities, provided that specific steps are taken to minimize pollution.*

**IMPLEMENTATION OF THESE STEPS IS MANDATORY**  
*if you are a regulated municipality.*

# Who is regulated, and what does it mean for Cape Elizabeth?

Municipalities, transportation agencies, public universities, prisons, military bases, and other state and federal facilities are subject to MEPDES regulation.

Regulated municipalities are determined by population density and proximity to population density, based on US Census Bureau data. The regulated municipalities in Greater Portland and Saco areas are shown on the map to the right.



## As a regulated community, you are subject to:

- Full compliance with permit requirements, including six minimum steps outlined in the permit (see opposite page).
- Additional costs for operations, permitting, capital improvements, etc. compared to non-regulated municipalities.
- Heightened scrutiny from Maine DEP, EPA, and environmental or citizen action groups.
- Identification and improvement of your priority water body. Cape Elizabeth's priority water body is Trout Brook.

# What are the minimum steps required in the MS4 Permit?

- 1 Educate the public and municipal staff and officials about polluted runoff and how to reduce pollution.
- 2 Provide the public an opportunity to participate in Cape Elizabeth's stormwater program.
- 3 Identify and eliminate illegal sewer connections, dumping into storm drains, and other sources of pollution. Carry out long-term maintenance and mapping of all stormwater infrastructure.
- 4 Ensure that construction on both public and private property does not impact water resources.
- 5 Implement new development and redevelopment of stormwater ordinances. Encourage developers to utilize techniques to reduce the impact of development on water resources.
- 6 Prevent pollution from municipal operations and facilities. Educate municipal staff about practices to reduce polluted runoff.

In addition to these minimum steps, Cape Elizabeth is also required to protect and restore polluted water bodies within your municipality.

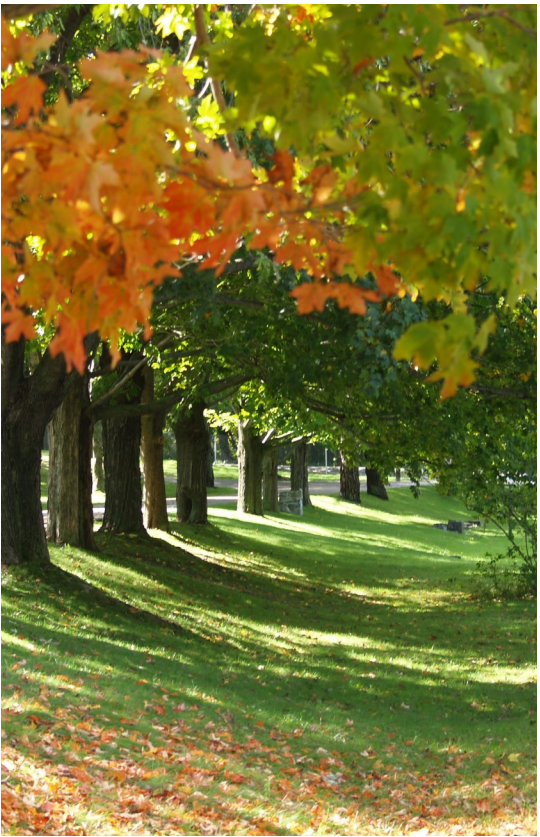


Photo credit: James Losey via flickr

**INTERDEPARTMENTAL COORDINATION IS ESSENTIAL FOR SUCCESS.**  
*A municipality-wide effort is needed to meet the requirements of the Clean Water Act permit.*

**To meet these requirements, Cape Elizabeth must adopt increased stormwater standards applicable to:**

- New development, redevelopment, and construction;
- Long-term maintenance and inspection of stormwater infrastructure;
- Preventing pollution from all municipal operations and facilities;
- Improving polluted water bodies within your municipality, with priority given to Trout Brook; and
- Raising awareness of stormwater, specifically the appropriate practices that should be used, inspected, and maintained on a regular basis to reduce polluted runoff.

## TROUT BROOK MANAGEMENT PLAN

Trout Brook, a small stream that flows through Cape Elizabeth and South Portland, supports a native brook trout population. Working with municipal and regional partners, a comprehensive Watershed Management Plan was developed in 2012 and extensive efforts are underway to improve water quality within the watershed.



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