



DRAFT
STORMWATER PROGRAM MANAGEMENT PLAN

FOR

TOWN OF CAPE ELIZABETH

Permit Years 1 through 5 (June 1, 2013 to June 1, 2018)
Submitted to Maine DEP November 2013

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SECTION 1 INTRODUCTION

1.1 Overview of Regulatory Program

The Town of Cape Elizabeth is subject to the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (heretofore referenced as the "General Permit") which was issued by the Maine Department of Environmental Protection (DEP) on July 1, 2013. The General Permit authorizes the direct discharge of stormwater from or associated with a regulated small municipal separate storm sewer system ("MS4") to an MS4 or waters of the State other than groundwater. Discharges must meet the requirements of the General Permit and applicable provisions of Maine's waste discharge and water classification statutes and rules. Compliance with the General Permit authorizes a person to discharge stormwater, pursuant to 38 M.R.S.A. § 413. The General Permit authorizes direct discharges in those parts of Maine for which the Department has received delegated authority under the Federal NPDES program.

The Town has been subject to this permitting program since its inception in 2003 when the first General Permit was issued in Maine. There are 29 other municipalities in the State of Maine that are subject to the General Permit. The permit that the Town is currently subject to will expire on June 30, 2018.

The Town was required to file a Notice of Intent to comply with the General Permit in July 2013. A copy of the NOI is provided in Appendix A. Several key requirements of the General Permit are described below.

1.1.1 Stormwater Program Management Plan

The General Permit requires that the Town develop, implement, and enforce a Stormwater Program Management Plan ("Plan") implementing six Minimum Control Measures (MCMs), set forth in Part IV.H of the General Permit. The MCMs are designed to reduce the discharge of pollutants within the Urbanized Area (UA) from a regulated small MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act.

The term "Maximum Extent Practicable" means available and feasible considering cost, existing technology, and logistics based on the overall purpose of the project. Effectively, the regulated MS4s are allowed to consider these concepts as they select BMPs to meet permit requirements. In addition, the term Maximum Extent Practical allows the regulated MS4s to adjust BMPs throughout the Permit Cycle if needed based on evaluations of their effectiveness, changing conditions, or changes in other factors.

The Stormwater Program Management Plan describes how the Town will reduce or eliminate

polluted stormwater runoff to the Maximum Extent Practicable within the UA, from its MS4. The Plan must be substantially implemented by June 30, 2013.

1.1.2 Minimum Control Measures (MCM's)

The General Permit identifies six MCMs to be addressed in the Plan as follows:

- 1 Public education and outreach on stormwater impacts
- 2 Public involvement and participation
- 3 Illicit discharge detection and elimination
- 4 Construction site stormwater runoff control
- 5 Post-construction stormwater management in new development and redevelopment
- 6 Pollution prevention/good housekeeping for municipal operations

The General Permit requires that for each MCM, the Town must: define appropriate best management practices (BMPs); designate a person(s) responsible for each BMP; define a time line for implementation of each BMP; and define measurable goals for each BMP.

1.1.3 Evaluation and Assessment

As specified in Part IV.J.1 of the General Permit, the Town must evaluate program compliance, the appropriateness of identified best management practices, and progress towards achieving identified measurable goals during each annual report.

1.1.4 Annual Reporting and Record Keeping

By September 15, 2014, and annually thereafter by September 15, the Town must submit a report for the Department's review and approval. The annual report must be sent to:

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

The report must include the following:

- a. The status of compliance with permit conditions based on the Plan, an assessment of the appropriateness of identified best management practices, progress towards achieving identified measurable goals for each of the Minimum Control Measures, and progress toward achieving the goal of reducing the discharge of pollutants to the MEP.
- b. Results of information collected and analyzed, including monitoring data, if any, during the reporting period.
- c. A summary of the stormwater activities the Town intends to undertake pursuant to its

- Plan during the next reporting cycle.
- d. A change in any identified BMPs or measurable goals that apply to the Plan.
 - e. A summary describing the activities, progress, and accomplishments for each of the MCMs (including such items as the status of education and outreach efforts, public involvement activities, stormwater mapping efforts, dry weather inspections, detected illicit discharges, detected illicit connections, illicit discharges that were eliminated, construction site inspections, number and nature of enforcement actions, post construction BMP status and inspections, and the status of the Town's good housekeeping/pollution prevention program.

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

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

1.1.5 Impaired Waters and Total Maximum Daily Load (TMDL)

The General Permit requires that the Town's MS4 discharges be consistent with any EPA approved TMDL waste load allocation and any implementation plan. If a TMDL is approved or modified by EPA subsequent to the effective date of the General Permit, the Department will notify the Town and may:

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

1.2 Basis of Plan Development

This Stormwater Program Management Plan was developed in accordance with the requirements of the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, which was issued by the Maine Department of Environmental Protection (DEP) on July 1, 2013. Per the General Permit, implementation of the six MCMs is required only within the urbanized area, as defined by the latest decennial (2000) census by the U.S. Bureau of Census, of the regulated small MS4.

SECTION 2 REGULATED MS4 INFORMATION

2.1 Location and Urbanized Area Map

A map showing the Urbanized Area identified in the 2010 U.S. Census Bureau Census is included as Figure 1. The urbanized area is the area that is regulated by the General Permit. The Figure shows the location of the Town in the State of Maine.

2.3 TMDL and Impaired Waters

The following is a summary of the waters in the Urbanized Area that receive discharges from the Town's MS4 system and their TMDL and impairment status:

- Trout Brook – TMDL finalized 10/25/2007 for aquatic life impairments (Class C water), Watershed Management Plan completed December 2012, Implementation of Watershed Management Plan has begun.
- Spurwink River – No impairments identified.
- Willow Brook – No impairments identified.
- Pond Cove Brook – No impairments identified.
- Pollack Creek – No impairments identified.
- Dyer Pond – No impairments identified.
- Atlantic Ocean – No impairments identified this section of ocean.

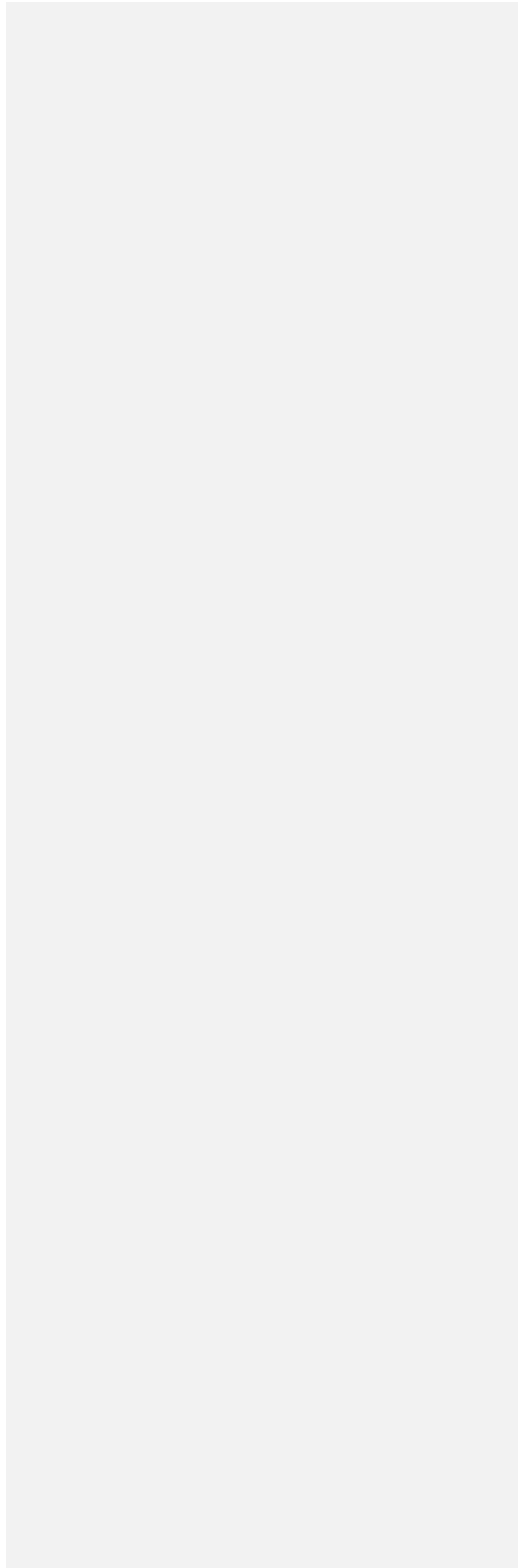
The following documents were reviewed in making these determinations:

- Statewide Bacteria TMDL (August 2009)
- Chapter 502 Direct Watersheds of Lakes Most at Risk from New Development and Urban Impaired Streams
- Impervious Cover TMDL (September 2012)
- Draft 2012 Maine Integrated Water Quality Report and Appendices (a.k.a Maine 303(d) list)

2.4 Priority Watersheds

The Town's two highest priority watersheds are: Trout Brook and Spurwink River. The Town has designated Trout Brook as its first priority and the Spurwink River as its second priority.

Figure I insert



SECTION 3 MINIMUM CONTROL MEASURES

3.1 MCM 1 Public Education and Outreach

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

MCM Goals

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

BMP 1.1 - Continue Awareness Outreach Efforts.

Measurable Goal 1.1.1 – In Permit Year 1, the ISWG will implement awareness activities outlined in the revised Statewide Awareness Plan. Activities include:

- Maintain a link to www.thinkbluemaine.org on municipal website;
- Participate in a statewide media campaign to include 12 months of television advertisements and 12 months of online advertisements that direct to www.thinkbluemaine.org; and
- Promote their approved public event.

BMP 1.2 – Update and implement Stormwater Awareness Plan.

Measureable Goal 1.2.1 – By December 2, 2013 submit a Stormwater Awareness Plan to raise awareness of stormwater issues such as the path stormwater runoff takes, sources of stormwater pollution and the impact that polluted stormwater runoff has in the community(s). The plan will identify:

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

Measurable Goal 1.2.2 – Unless DEP responds in writing or verbally otherwise, then as of February 1, 2014 the Stormwater Awareness Plan is considered approved and implementation of the Stormwater Awareness Plan will begin within one week of approval.

Reporting: review of Stormwater Awareness Plan will be included in every Annual Report. The review will include process and impact indicators as outlined in the Stormwater Awareness Plan. In permit year five an in-depth assessment of both the implementation and the impact of the Stormwater Awareness Plan will be provided.

Responsible Party – ISWG Education Coordinator

Overall schedule for raising awareness of stormwater will be included as part of the Stormwater Awareness Plan.

BMP 1.3 – Develop and implement Stormwater Awareness Plan.

Measurable Goal 1.3.1 – By January 6, 2014 submit a Permit Awareness Plan to raise awareness of stormwater issues including MS4 permit requirements from municipal employees, elected officials and volunteers within municipal government. The plan will identify:

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

Measurable Goal 1.3.2 – Unless DEP responds in writing or verbally otherwise, then as of March 1, 2014 the Permit Awareness Plan is considered approved and implementation of the Permit Awareness Plan will begin within one week of approval.

Reporting: review of Permit Awareness Plan will be included in every Annual Report. The review will include process and impact indicators as outlined in the Permit Awareness Plan. In permit year five an analysis of the process and impact indicators of the Permit Awareness Plan will be provided.

Responsible Party – ISWG Education Coordinator

Overall schedule for raising awareness of the permit will be included as part of the Permit Awareness Plan.

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

Measurable Goal 1.4.1 – In Permit Year 1, the ISWG will continue BMP adoption activities carried out in permit year 5 of the BMP Adoption Plan. Activities include:

- Providing a minimum of six adult education classes throughout the ISWG region per year;
- Work with a minimum of 21 retail locations to provide healthy lawn care education to consumers;
- Maintain the YardScaping website hosted on CCSWCD's website; and
- Provide information to targeted neighborhoods via direct mail, neighborhood canvassing, socials or other means.

BMP 1.5 – Update and implement BMP Adoption Plan

Measurable Goal 1.5.1 – By November 1, 2013 submit a plan to encourage targeted audience to adopt or practice specific BMPs that will reduce stormwater pollution. The Plan will include:

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

Measurable Goal 1.5.2 – Unless DEP responds in writing or verbally otherwise, then as of January 15, 2014 the BMP Adoption Plan is considered approved and implementation of the Plan will begin.

Reporting – a review of BMP Adoption Plan will be included in every Annual Report. The review will include process and impact indicators as outlined in the BMP Adoption Plan. In permit year five an in-depth assessment of both the implementation and the impact of the BMP Adoption Plan will be provided.

Responsible party - ISWG Education Coordinator

Overall schedule for BMP adoption will be included in the BMP Adoption Plan.

BMP 1.6 – Develop and implement Targeted Outreach in Priority Watershed Plan.

Measurable Goal 1.6.1 – By July 1, 2014 submit a draft plan on how to meet either Stormwater Program Management

permit requirement H.1.a.iv.1 or H.1.a.iv.2. The plan will identify:

- a) Identify the specific stormwater activity or pollutant to be addressed
- b) the target audience
- c) the outreach tool(s) to be used
- d) the message and the BMPs to be encouraged
- e) the time line and implementation schedule
- f) the person(s) responsible for implementation
- g) the goal of the outreach effort
- h) impact evaluation protocol.

Measurable Goal 1.6.2 – by November 1, 2014 submit a final plan. Unless DEP responds in writing or verbally otherwise, then as of January 5, 2015 the Targeted Outreach in Priority Watershed Plan is considered approved and implementation will begin.

Reporting: review of Targeted Outreach in Priority Watershed Plan will be included in Annual Reports starting in permit year two. The review will include process and impact indicators as outlined in the Targeted Outreach in Priority Watershed Plan. In permit year five an analysis of the process and impact indicators of the Targeted Outreach in Priority Watershed Plan will be provided.

Responsible Party – ISWG Education Coordinator

Overall schedule for targeted outreach in priority watershed will be included as part of the Targeted Outreach in Priority Watershed Plan.

BMP 1.7 –School Outreach

Measurable Goal 1.7.1 – In Permit Year 1, continue the incorporation and implementation of “It’s all connected” school curriculum in elementary and/or middle schools.

Measurable Goal 1.7.2 – In Permit Years 2 - 5, as funding permits, continue the incorporation and implementation of “It’s all connected” school curriculum in elementary and/or middle schools.

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

Responsible party - ISWG Education Coordinator

3.2 MCM 2 PUBLIC INVOLVEMENT AND PARTICIPATION

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

MCM Goals:

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

BMP 2.1 - Public Notice Requirement

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

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

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

Responsible party- ISWG Stormwater Program Coordinator or Public Works Director.

BMP 2.2 - Host Public Events

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

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

Responsible Party: ISWG Education Coordinator or Public Works Director.

3.3 MCM 3 Illicit Discharge Detection and Elimination

MCM Goals

Stormwater Program Management

1. Maintain an updated watershed based storm sewer system infrastructure map;
2. Continue to enforce the Town's non-stormwater discharge ordinance;
3. Continue to implement the Town's prioritized dry weather outfall inspection plan, expanding it into watersheds that have not been inspected;
4. Continue to implement the Town's strategy to detect any illicit discharges to the open ditch system within Trout Brook; and
5. Develop a list of septic systems in Trout Brook that are 20 years old or older and implement a drive-by evaluation and documentation program
6. Work with the Portland Water District to identify if hydrant flushing practices in the MS4 constitute significant contributors of pollutants.

For specific permit requirements and suggestions, Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV.H.3 refer to the General Permit.

BMP 3.1-Maintain an updated Watershed Based Storm Sewer System Infrastructure Map

Measureable Goal 3.1.1 - The Town created a Watershed-based Map of the MS4 infrastructure during the prior two permit cycles (2003-2013). Annually by June 30 each year, the Town will update the paper copies of the maps to reflect new infrastructure and changes to the infrastructure. If funding allows, the GIS map system will also be updated.

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

Responsible Party - Public Works Director

BMP 3.2 – Continue to Enforce the Non-Stormwater Discharge Ordinance

Measureable Goal 3.2.1 - The Town of Cape Elizabeth adopted and implemented a Non-Stormwater Discharging Ordinance (Article II, Section 18-2-8 Non-Stormwater Regulation of Chapter 18 Conservation) effective July 13, 2005. As part of the Illicit Discharge Detection and Elimination Program, the Town maintains a listing of illicit discharges that have been identified and how they are addressed. The Town will update the spreadsheet by June 30 each year to include information on whether the Non-Stormwater Discharge Ordinance was used as an enforcement tool for the illicit discharges.

Responsible Party - Public Works Director

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

Responsible Party: Public Works Director.

BMP 3.3 - Continue Dry Weather Outfall Inspection Program Stormwater Program Management

Measureable Goal 3.3.1 – During the past permit cycle, the Town developed a prioritized outfall inspection program that required annual dry weather inspections in two highest priority watersheds (Trout Brook and Spurwink River). These annual inspections will continue and inspections will be expanded to watersheds that were not previously inspected beginning in Permit Year 2.

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

Responsible Party: Public Works Director

BMP 3.4: Continue Open Ditch Illicit Discharge Program

Measureable Goal 3.4.1 – During the past permit cycle, the Town developed a strategy for detecting illicit discharges in their open ditch system within their highest priority watershed (Trout Brook). The Town will continue to implement the open ditch inspection program.

Reporting - Annual reports to DEP each year of the permit will include a status report on the inspections completed. Note: reporting of illicit discharge detections and actions taken will be done under BMP 3.2, Continue to Enforce the Non- Stormwater Discharge Ordinance.

Responsible Party: Public Works Director.

BMP 3.5: Document and Evaluate Aging Septic Systems

Measureable Goal 3.5.1 – By June 30, 2016, the Town will develop a list of aging (i.e., greater than 20 years old) septic systems in its highest priority watershed (Trout Brook) that might discharge to the MS4 if they were to fail.

Measureable Goal 3.5.2 – By June 30, 2017, the Town will implement a drive-by evaluation and documentation program of the aging septic systems identified in Measureable Goal 3.5.1. The program will include a mechanism to address any discharges from failed septic systems.

Reporting – The Permit Year 3 Annual report will include a status report on the number of septic systems identified. . The Permit Year 4 Annual Report will include a description of the evaluation and documentation program. Note: reporting of illicit discharge detections and actions taken will be done under BMP 3.2, Continue to Enforce the Non- Stormwater Discharge Ordinance.

Responsible Party: Public Works Director.

BMP 3.6: Work with Portland Water District to Assess if Hydrant and Water Line Practices Contribute Significant Pollutants to the MS4

Measureable Goal 3.6.1 – By June 30, 2014, meet with Portland Water District to understand Stormwater Program Management

Commented [KR1]: Bob, the permit says you will just do your inspections in other watersheds that you have not yet inspected. I believe the language was worded that way for the big Cities. Technically I believe DEP will require you to continue inspecting the Trout Brook and Spurwink River areas and include the other areas you have not yet inspected. So that is how I wrote this.

their hydrant flushing and dechlorination practices. Provide Portland Water District with an understanding of the sensitive waters in the Cape Elizabeth MS4.

Measureable Goal 3.6.2 – By June 30, 2015, meet with Portland Water District to assess their progress in developing pilot practices, SOPs and other training mechanisms to assure potable water sources that contribute significant pollutants are not being discharged to the Cape Elizabeth MS4 system.

Measureable Goal 3.6.3 – By June 30, 2016, meet with Portland Water District to assess their progress in implementing pilot practices, SOPs and other training mechanisms to assure potable water sources that contribute significant pollutants are not being discharged to the Cape Elizabeth MS4 system.

Reporting – The Permit Year 1, 2, and 3 Annual reports will include a status summary of the meetings held with Portland Water District.

Responsible Party: Public Works Director.

3.4 MCM 4 Construction Site Stormwater Runoff Control

MCM Goals

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

The Town will rely on the Maine Construction General Permit or Chapter 500, Stormwater Management.

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

Measurable Goal 4.1.1 – Continue notifying developers and contractors through the modified building permit and Planning Board applications, and through meetings with Code Enforcement and Planning staff. The documents provide notification to applicants of the requirements for registration under the Maine Construction General Permit or Chapter 500 Stormwater Management for the Discharge of Stormwater Associated with Construction Activities.

BMP 4.2 – Continue documenting every construction activity that disturb one or more acres within the Urbanized Area.

Measurable Goal 4.2.1 – During the previous Permit Cycle, the Public Works Director developed Stormwater Program Management

a spreadsheet to document the construction activities that disturb more than one acre of land in the Urbanized Area. By June 30 each year the spreadsheet will be updated to include the construction projects in the Urbanized Area that disturbed more than one acre of land.

BMP 4.3 - Continue implementing the construction site inspection program.

Measurable Goal 4.3.1 – During the previous permit cycle, the Town developed a procedure for construction site inspections by either a municipal official or a contracted third party to meet the terms and conditions of the MS4 General Permit. The program includes three construction inspections for sediment and erosion control issues in those sites that are in the highest priority watershed (Trout Brook), and two inspections in all other portions of the Urbanized Area. One of the inspections occurs at the end of construction to document that final stabilization of the site has been completed. The Town will continue to implement this program, and by June 30 each year will document this information in the Construction Inspection Tracking spreadsheet that is also used to document BMP 4.2.

Reporting – The Permit Year 1, 2, and 3 Annual reports will include a summary of information tracked in the spreadsheet.

Responsible Party: Public Works Director.

3.5 MCM 5 Post-Construction Stormwater Management

Goals (within the Urbanized Area)

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

For specific permit requirements and suggestions, refer Part IV.H.5 of the General Permit.

BMP 5.1 – Continue to Enforce Ordinance or Similar Measure

Measurable Goal 5.1.1 – During the previous permit cycle, the Town passed a Post Construction Discharge Ordinance (effective April 8, 2010) which requires that any site that disturbs more than one acre certify to the Town annually by May 1 that they have inspected and maintained their stormwater BMPs. The ordinance is Article IV of Chapter 18 Conservation of the Zoning Ordinance. The Town will continue to enforce this ordinance.

Stormwater Program Management

BMP 5.2 – Track Post Construction Sites to ensure proper reporting and compliance with the Ordinance

Measurable Goal 5.2.1 - The Town has developed a spreadsheet to track sites that trigger the Post Construction Ordinance and to document the following elements which are required to be reported to the Maine DEP:

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

The Town will complete the spreadsheet by June 30 each year.

The Town ordinance requires that owners and operators hire a “Qualified Third Party Inspector” to inspect the site, therefore the General Permit requirements related to Town inspections in watersheds of Urban Impaired Streams and Lakes Most at Risk do not apply.

Reporting - Documentation of all inspections will be entered into a spreadsheet for tracking and annual reporting to DEP.

Responsible Party: Public Works Director.

3.6 MCM 6 Pollution Prevention/Good Housekeeping for Municipal Operations

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

MCM Goals

- Maintain an updated 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.
- Continue to implement written operation and maintenance procedures for the facilities in the inventory to ensure long term operation of structural and non-structural controls that reduce stormwater pollution to the maximum extent practicable.
- Train employees on ways to prevent and reduce stormwater pollution from municipal operations and facilities.
- Continue to implement 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.

- Continue to maintain the conveyances, structures and outfalls of the regulated MS4.
- Continue to implement the Stormwater Pollution Prevention Plan for the Department of Public Works and Recycling Center sites.

For specific permit requirements and suggestions, refer to Part IV.H.6 of the General Permit.

BMP 6.1 Operations at Municipally Owned Grounds and Facilities

Measurable Goal 6.1.1 – During the previous permit cycle, the Town developed an inventory of all municipal operations conducted in, on, or associated with facilities, buildings, golf courses, cemeteries, parks and open space that have the potential to cause or contribute to stormwater or surface water pollution. The Inventory is attached as Appendix B.

Measurable Goal 6.1.2 – The Town relies on the Standard Operating Procedures contained in Appendix C. The Town will continue to implement these SOPs at the inventoried facilities in town.

Measurable Goal 6.1.3 – Formal stormwater pollution prevention employee training is completed annually. Refresher trainings occur on an informal basis whenever deemed necessary by the Public Works Director. The trainings cover such topics as spill prevention and response, good housekeeping, and materials management practices. The Town will train other employees in the Standard Operating Procedures during Permit Year 2.

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

Responsible Party: Public Works Director.

BMP 6.3 Continue Street sweeping

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

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

Responsible Party: Public Works Director.

BMP 6.4 Cleaning of Stormwater Structures Including Catch Basins

Measurable Goal 6.4.1 - Each permit year the Town will continue to inspect all catch basins and Stormwater Program Management

will clean catch basins and other stormwater structures that accumulate more than three inches of sediment. The Town will clean catch basins more frequently if inspections indicate excessive accumulation of sediment. Excessive accumulation is greater than or equal to 50 percent filled.

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

Responsible Party: Public Works Director.

BMP 6.5 Maintenance and Upgrading of Storm water Conveyances and Outfalls

Measurable Goal 6.5.1 – The Town will continue to maintain and upgrade the stormwater conveyance systems based on the results of the catchbasin, outfall, and ditch inspections, in accordance with the urgency of the repair. The Town continues to perform systematic upgrades of the stormdrain system in correlation with the road paving program for the Town.

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

Responsible Party: Public Works Director.

BMP 6.6 - Stormwater Pollution Prevention Plans (SWPPP's)

Measurable Goal 6.6.1 – During Permit Year 1, the Town will update the SWPPP for the Public Works Facility and Recycling Center to conform to the conditions and requirements of the Maine Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity published April 26, 2011. During subsequent permit years, the Town will implement the SWPPP, including conducting quarterly visual monitoring and quarterly housekeeping inspections.

Measurable Goal 6.6.2 – Although the Public Works Garage does not exceed the 1,320 gallon threshold requiring an Oil Spill Prevention Control and Countermeasure Plan, the Garage holds a Site Location of Development Permit requiring a Spill Plan. The Town will update the Spill Plan during Permit Year 1.

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

Responsible Party: Public Works Director.

SECTION 3 GENERAL REQUIREMENTS

Commented [KR2]: This should be section 4 – but am having trouble with it.

3.1 Certification

The General Permit requires that this Plan be certified by either a principal executive officer or ranking elected official. This section provides the necessary certification.

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

Signature: _____ Date: _____ Michael
M. McGovern

Title: Town Manager

3.2 TMDL Consistency Assessment

Bob – this is a placeholder. We should discuss what should go in here.

APPENDIX A

NOTICE OF INTENT

NOTICE OF INTENT TO COMPLY WITH MAINE GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS

PLEASE TYPE OR PRINT IN *BLACK INK ONLY*

Municipality:	Town of Cape Elizabeth	Mailing Address:	PO Box 6260 Cape Elizabeth		
Town/City:	Town of Cape Elizabeth	State:	ME	Zip Code:	04107
Name and title of chief elected official or principal executive officer:	Michael K. McGovern Town Manager	Mailing Address:	PO Box 6260 Cape Elizabeth		
Town/City:	Town of Cape Elizabeth	State:	ME	Zip Code:	04107
Name of primary contact person responsible for MS4 stormwater management program:	Robert C. Malley Director of Public Works	Mailing Address:	10 Cooper Drive Cape Elizabeth, ME 04107		
Town/City:	Town of Cape Elizabeth	State:	ME	Zip Code:	04107
Daytime phone: (with area code)	207-799-4151	Email if available:	Robert.malley@capeelizabeth.org		
Estimate of the area in square miles of the Urbanized Area:	10+-	Permit Number(if applicable):	W008164-5Y-A-N MER 041000		
Name of stream(s), wetland(s) or waterbody(ies) to which the regulated Small MS4 discharges and a list of impaired waterbody(s) which receive stormwater from the Regulated Small MS4 (attach additional sheets as necessary):	Atlantic Ocean, Spurwink River and Trout Brook				

I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement knowingly made in the submitted information may be punishable as a criminal offense, in accordance with Maine General Statutes.

I certify that this permit registration is on complete and accurate forms as prescribed by the Department without alteration of the text.

I also certify under penalty of law that I have read and understand all requirements of the General Permit. I certify that all requirements for authorization under the general permit are met and that a system is in place to ensure that all terms and conditions of this general permit will continue to be met for all discharges authorized by this general permit for the municipality. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowingly making false statements.

Signature of chief elected official or principal executive officer:		Date:	July 1, 2013
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This NOI registration form must be filed with the Department at the following address:
 Stormwater Coordinator
 Maine Department of Environmental Protection
 Bureau of Land & Water Quality
 17 State House Station
 Augusta ME 04333-0017

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
NOI #	FP		Acc. Date	Def. Date	

APPENDIX B

INVENTORY OF MUNICIPAL OPERATIONS

Inventory of Town-Maintained Facilities Applicable to our Stormwater Management Program

BMP 6.1 Operations at Municipally Owned Open Spaces and Facilities

Athletic Fields	Address	Purpose	Primary Activity	Fert.
Soccer/Track Field	School Campus	Athletic	Mowing, Field Lining	Yes
Turf Field	School Campus	Athletic	Field Lining, Grooming	No
Holman Field	School Campus	Athletic	Mowing, Field Lining	Yes
Soccer/Lacrosse	School Campus	Athletic	Mowing, Field Lining	Yes
Capano Field	School Campus	Athletic	Mowing, Field Lining	Yes
Middle School BB	School Campus	Athletic	Mowing, Field Lining	Yes
Lions Field Rec. Area (2)	Ocean Hse. Rd.	Baseball	Mowing, Field Lining	Yes
Plaisted Park	Shore Road	Baseball	Mowing, Field Lining	Yes
Gull Crest Fields (2)	Spurwink Ave.	Athletic	Mowing, Field Lining	Yes
Open Space				
Fort Williams Park	Shore Road	Rec.	Mowing	No
School Grounds	Ocean Hse. Rd.	Rec.	Mowing	No
Gull Crest Property	Spurwink Ave.	Pass. Rec.	Mowing	No
Riverside Cemetery	Spurwink Ave.		Mowing	No
Thomas Jordan Trust	Spurwink Ave.	Pass. Rec.	Mowing	No

Queen Acres Green	Beverly Terrace	Pass. Rec.	Mowing	No
Cross Hill Green	Cross Hill Road	Pass Rec.	Mowing	No
Facilities				
Public Works Facility	Cooper Drive	Ind.	Equip. Stor., Fueling & Equip. Maint.	n/a
Recycling Center	Dennison Drive	Recycling	Storage of Materials	n/a
Salt Shed	Dennison Drive	Mat. Stor.	Material & Veh.Storage	
Parks Maint. Bldg.	Fort Will. Park	Storage	Equip. Maint., Cleaning	n/a
Heavy Equip. Stor. Bldg.	Fort Will. Park	Storage	Equipment/Veh. Stor.	n/a
Red Cement Stor. Bldg.	Fort Will. Park	Storage	Equipment/Veh. Stor.	n/a
Holman Field Stor. Bldg.	School Campus	Storage	Equipment Storage	n/a
Gull Crest Stor. Bldg.	Gull Crest Drive	Storage	Equipment & E-Waste	n/a
Riverside Cem. Stor. Bldg.	Riverside Cem.	Storage	Tool Storage	n/a
Town Center Fire Station	Jordan Way	Fire Stat.	Vehicle Storage	n/a
Cape Cottage Fire Station	Shore Road	Fire Stat.	Vehicle Storage	n/a
Fort Williams Park Fire Sta.	Fort Will. Park	Storage	Non-Profit Equip. Stor.	n/a

APPENDIX C

OPERATION AND MAINTENANCE PROCEDURES



OPERATION AND MAINTENANCE PROCEDURES FOR ALL MUNICIPAL LANDSCAPING

Parks/Playgrounds/Cemeteries/School Grounds/Ball Fields/Libraries/Community Buildings



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

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

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 waterbody.
- 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.

FERTILIZERS, Continued:

- 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.

Whenever possible:

- Consider a low or no fertilizer approach to maintain turf.
- Perform a soil test to determine actual fertilization needs and application rate.
- 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.

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 have 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:

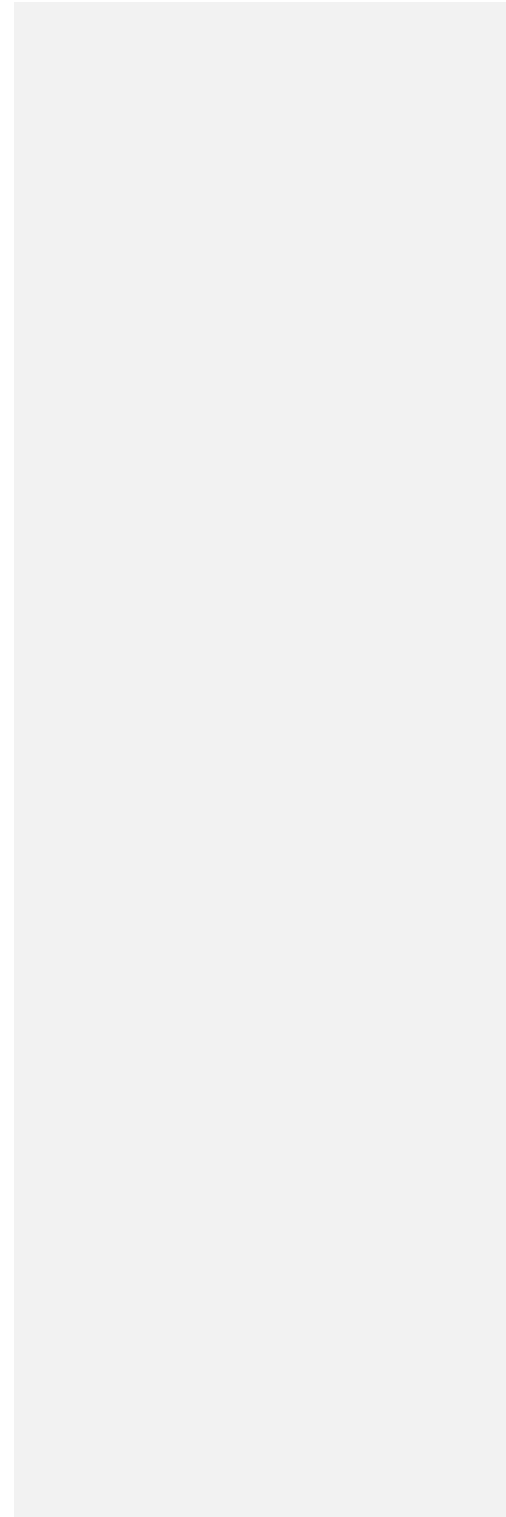
- The animals you feed aren't the only animals you may impact;
 - Bald Eagles eat ducks, which impacts the food chain (unhealthy ducks result in unhealthy eagles).
 - Sometimes a french fry, pretzel, etc., can get caught in their windpipes and actually split the esophagus causing the animal to die.

Never:

- Never feed wild animals and birds.

APPENDIX D

TROUT BROOK TMDL CONSISTENCY EVALUATION



APPENDIX B

ADDITIONAL STORMWATER TREATMENT CONTROLS
FOR
URBAN IMPAIRED STREAM WATER SHEDS
TROUT BROOK

The permittee's approach to meet the terms and conditions of Maine's 2008 MS4 General Permit for urban impaired stream watersheds is based on identifying additional structural and non-structural treatment controls to reduce pollutants from the permittee's separate storm sewer system to urban impaired streams.

Strategy 1: The permittee shall compile a prioritized list of potential pollutants of concern based on existing knowledge and assessment.

Measurable Goal 1.1: By end of Permit Year 2 (by June 1, 2010), the permittee shall develop the strategies, methods, and timeline for developing the prioritized list. Methods and review items may include, but are not limited to:

- End of pipe exploration data
- Quantity and quality assessment data

Measurable Goal 1.2: By the end of Permit Year 3 (June 1, 2011), the permittee shall complete the development of the prioritized list.

Strategy 2: (MS4 Permit Requirement) The permittee will implement BMPs as described in the table below. Additional BMPs may be implemented in Permit Years 2 (June 1, 2009 to June 1, 2010) – 5 (June 1, 2012 to June 1, 2013), based on the prioritized list of potential pollutants of concern developed under Strategy 1.

Measurable Goal	BMP	Implementation Schedule
2.1	Develop Awareness Plan specific to the needs of the Trout Brook urban impaired stream watershed	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013), as appropriate, based on availability of impact assessment data
2.2	Install pet waste signage along green belt trails of future subdivisions within the watershed	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013), as appropriate, based on housing development
2.3	Continue to provide relevant training to municipal staff and boards.	By the end of Permit Year 1 (by June 1, 2009) and annually thereafter – as appropriate

2.4	Conduct additional dry weather discharge monitoring, through opportunistic inspections or additional routine inspections	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)
2.5	As budget allows; develop and implement an annual municipal household hazardous waste collection, or participate in an annual regional household hazardous waste collection program, or provide some other mechanism for residents to dispose of household hazardous waste.	As possible, Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)
2.6	Start mapping effort within priority watershed.	Permit Year 1 (June 1, 2008 to June 1, 2009)
2.7	Require contractors performing municipal work to be certified in soil erosion and sediment control through state program.	By the end of Permit Year 1 (by June 1, 2009) and annually thereafter
2.8	Conduct inspections of all construction activities in the urban impaired stream watershed (i.e., not just those that disturb one or more acres within the UA).	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)
2.9	Conduct more than three inspections of the construction activities within the urban impaired stream watersheds.	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)
2.10	The Town will take on an enhanced municipal street sweeping program in the Trout Brook watershed	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)
2.11	Public Works Director and Department Supervisor will obtain erosion and sediment control certification through state program	Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)
2.12	Town will provide annual SWPP training for applicable municipal personnel.	By the end of Permit Year 1 (by June 1, 2009) and annually thereafter
2.13	Manage/enforce the Town's Stormwater Compensation Fee Utilization Plan and Compensation Fund, for projects within the Trout Brook watershed, which was adopted by the Town on July 14, 2008 attached to this Plan as Appendix D.	Permit Years One - Five
2.14	Construct in-stream improvements to the extent that funding becomes available from the Town's Stormwater Compensation Fee Utilization Plan and Compensation Fund and to the extent allowed by property owners adjacent to Trout Brook.	As possible, Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013) and annually thereafter
2.15	Identify/develop mailing list of property owners in the Trout Brook watershed.	Permit Years Permit Years 1 (June 1, 2008 to June 1, 2009) – 5 (June 1, 2012 to June 1, 2013)