



SMSWG MEETING VIA ZOOM – NOTES

Wednesday July 21, 2021, 12:45-2:15 pm

Attendees:

Berwick – None

South Berwick – None

Eliot – None

Kittery – Jessa Kellogg

GZA – Aimee Mountain

Maine DOT – None

SMPDC – Abbie Sherwin

PNSY – Adam Gagne

York – Leslie Hinz, Dean Lessard

Maine DEP – None

Integrated Environmental Engineering, Inc. – Kristie Rabasca

1. Permit Renewal/DEP Update –

a. Stormwater Management Plans

1. DEP comments. KR sent email to Maine DEP (Marianne Senechal, Alison Moody, and Rhonda Poirier) on 6/18/2021 asking for time to update plans. SMSWG response to comments due to DEP 7/30/2021. (Review Draft redline together for consensus)
- . No comments on Municipal Staff and Board(s) awareness outreach.
2. General Public Awareness (ISWG) – ISWG comments are due this Friday 7/23/2021. SMSWG & AVSWG are teaming with ISWG on this program. KR reviewed these RL/SO changes with the group. DEP requested that we narrow down the number of tools and messaging that will be used, but the list of tools still allows for flexibility in the plan.
3. Behavior change – Pet Waste Baselines – data already? Interns? Only comment on behavior change program is the lack of a baseline to gauge progress over time. KR discussed the use of the Litterati app as part of a pilot program to collect data for cigarette butt baseline in the summer of 2020. Berwick also used the Litterati Ap for a weeklong cleanup event and collected over 3,000 pieces of litter. KR added this new baseline data into the SWMP and believe the text will satisfy the DEP comment about baseline data for cigarette butts. However, baseline data is needed for pet waste. Jessa will collect baseline pet waste data at 2 locations in Kittery (parks) and Leslie will collect baseline pet waste data at 2 locations in York (at beach and in neighborhood). KR will discuss with the other communities as well. Jessa and Leslie should track how far they walk (feet or miles) for data

collection so we can start to generate those metrics. ISWG has 2 interns collecting litter data in Litterati and KR can also look at using that for general baseline data.

Keep America Beautiful Grant? This is still on KR's radar, and we will likely apply for a grant to help with purchase of prompts for the public education programs. We may also be able to use grant funding to hire interns for additional data collection.

- b. Friends of Casco Bay Appeal: Board of Environmental Protection hearing was held on 6/17/2021. Brian Rayback, Aimee Mountain, and Kristie Rabasca attended.
 - i. Effective date of new permit remains at 7/1/2022
 - ii. Impaired waters language will change, but DEP states no changes will be required to our Stormwater Management Plans.
 - iii. Low Impact Development: BEP final findings were not specific. They effectively asked the DEP to address the issue. KR has had conversations with Gregg Wood about what the likely implementation would look like. The MS4 General Permit will be updated and sent out for public comment requiring ordinance changes to incorporate Low Impact Development. The Permit will specify that Towns have 2 years to implement (approx. by 2024). Revised Draft should come out in the Fall of 2021. Timing will allow Towns to petition DEP to update Chapter 500 to address requirements. Discussion on petition.
 - 1. Interest? (ISWG voted to pursue) SMSWG agrees with ISWG
 - 2. How to do? (MMA?) KR will work with MMA (Rebecca) to develop a presentation to the MMA Legislative Policy Committee in the October MMA conference to inform them of the MS4 permit requirement, and to request they work to petition the DEP to update Chapter 500 for LID.
 - 3. Reminder that SMSWG/SMPDC and ISWG applied for and received Grant funding to develop a model LID strategies ordinance.
- c. The State and Federal MS4 General Permit was issued for public comment 7/16/2021 – contains LID language we will likely see with Chapter 10 of DEP guidance. Comments are due to DEP by August 15, 2021. The Draft Permit states in MCM 5 that permittees must develop or update their enforceable program to require that LID techniques be used to the maximum extent practicable for stormwater management on new and redevelopment sites. Chapter 10 was included as Appendix F in the Draft permit.

2. ISWG/SMSWG Ordinance Committee / Maine Coastal Program Grant update and next steps

- a. Sediment and Erosion Control Ordinance Change Workshops were held:

- i. June 10 and June 15 Workshops (2-3 pm) held. Attendance: 1 South Berwick Planning Board (PB) member, no PB members from York, Berwick, 1 PB member from Eliot, and 3 from Kittery. Staff attended as well, but we were trying to get PB members to attend because our municipal awareness program is to reach out to municipal board(s), and these workshops helped fulfil that requirement. Workshop was recorded and a link to the recording can be sent to PB members via email.
 - b. We have additional funding to do more outreach on the ordinance change checklist and Coastal Program Grant (funding needs to be expended by September 2021) KR has call with Abbie Sherwin and Damon Yakovleff (ISWG) 7/22/2021. Are folks interested in offering another workshop? Or targeted emails to PB members with fact sheet(s)? Abbie Sherwin stated we could leverage the remaining funds to begin development of the Model Ordinance for Sediment and Erosion Control (a component of the next phase of the Grant. York PB is working on Comp Plan, which is very time consuming, so a workshop in August might work better for them. No other comments received.
 - c. Applied for and received MCP grant for Low Impact Development Strategies Model Ordinance Development (and the Sediment and Erosion Control Model Ordinance mentioned in b. above. Work begins 10/1/2021 through ISWG/SMSWG Ordinance Committee. Jessa Kellogg, Leslie Hinz, James Bellissimo and Jeff Brubaker are members, so SMSWG has good representation on this committee.
- 3. Permit Year 8 Annual Report Review –
 - a. Annual Reports due to DEP 9/15/2021 (will be one big report again)
 - b. KR will send out individual emails with outstanding items
 - c. When you need report by? Report needs a Town Manager signature
 - i. York: 8/31/2021
 - ii. Kittery: 8/31/2021
- 4. Permit Year 9 activities:
 - a. Normal stuff:
 - i. Public Education: 3 booths needed (Kittery Ace – possibly 2 separate dates, they have a small outdoor marketplace on Sundays; Eldredge Lumber and Hardware is another option – KR will pursue), 5 workshops needed (resident on Mill Pond in Kittery would like to do a YardScaping workshop; 2 other workshops are planned at Noble and Marshwood – see important upcoming dates below in these Notes), point of sale outreach is ongoing to Ace and Eldredge, Agway in Eliot and the Salmon Falls garden center between Berwick and South Berwick.
 - ii. Municipal meetings: Planning Boards and Councils (plus other committee outreach) -We will get them scheduled early if we can,

possibly when we are getting the annual report ready to submit in September or during budget planning time. Budget times are crazy and are difficult to present at, so fall might be better for Kittery. This can be a letter that is submitted to the board with some conversation – it does not have to be a power point presentation. Contact KR with possible dates for board and council meetings. KR will send FOCB appeal letter and other information to include in the board/council packets.

- iii. IDDE – Continue implementing all your normal permit requirements – no new requirements for Permit Year 9 except GIS updates described below.
- iv. Construction/Post Construction – Continue tracking your sites and conducting inspections – no new requirements for Permit Year 9 except ordinance updates and written procedures described below.
- v. Pollution Prevention Good Housekeeping – Continue with normal street sweeping, catch basin cleaning, SWPPP inspections (dry and wet weather), meet with representatives for O&M procedure. No new requirements for Permit Year 9 except SWPPP updates described below.
- vi.
- b. New Stuff (to be completed by 6/30/2022):
 - i. MCM 4:
 - 1. Construction Inspection Written procedures (KR contract by 6/30/2022). KR needs to know what the town-specific procedures are, but she will draft the SOP template/checklist. KR will send Yarmouth’s as an example. DEP has already reviewed, and they liked the format. This document/checklist is presented to the applicant during their site plan application process.
 - 2. Begin Construction Ordinance changes (checklist with KR assistance)
 - ii. MCM 6: SWPPP Updates for new permit (KR contract by 6/30/2022) – this will include facility site plan updates. KR is thinking that the site visits could be done in the fall and the plans updated in the spring. ISWG discussed coming up with a checklist that identifies the new and different requirements and may offer a workshop to review the changes.
 - iii. MCM 3: GIS requirements for new permit (due by 6/30/2022) – Towns need to do a thorough check of the permit requirements and their GIS layers. A good place to check is the IDDE Plan (that went to DEP with the Stormwater Management Plan for the new permit). KR is updating Kittery’s with new permit requirements, plus other needed info.

5. Attendee updates

- a. Eliot – Not present

SMSWG Notes – 7/21/2021

- b. Kittery – Public Works has done a lot of televising ahead of paving. Vortex Services is lining the pipes that are failing, and the Town is repairing the sidewalk paving on Route 103. Focus this year is maintenance work. Town has a new Public Works Foreman, so they are fully staffed.
- c. York – Just finishing up a drainage replacement on Elm Drive (Downtown near library). Nubble Road project will start next week and will include 900' of drainage upgrades. Two culverts will be replaced on Mill Road next summer (Fish-passage friendly, from state culvert grant).
- d. S. Berwick – Not present
- e. Berwick – Not present
- f. Others present: - No other updates

Upcoming Dates of Interest:

September 16, 2021 – Noble Adult Ed YardScaping

September 23, 2021 – Marshwood Adult Ed YardScaping

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

Wednesday September 22, 2021 – via Zoom again? York offered to host the meeting at the library. Might be able to use the meeting room to do a hybrid meeting – Leslie will check if there is a screen available. Kittery is another option. More information to follow.