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SECTION 1. INTRODUCTION

SECTION 1.1 OVERVIEW OF REGULATORY PROGRAM

This Municipal Separate Storm Sewer System General Permit, hereinafter described as the General Permit, authorizes the direct discharge of stormwater from a regulated small municipal separate storm sewer system ("MS4") to a MS4 or waters of the State other than groundwater, provided that the MS4 is located in an Urbanized Area as determined by the 2010 Decennial Census by the Bureau of Census. Small MS4s are those entities which meet the definition in 40 CFR Part 122.26(b)(16). Regulated small MS4s are those entities required pursuant to 40 CFR 122.26(a)(9)(i)(A) to obtain stormwater permit coverage to operate their small MS4. Discharges from regulated small MS4s must meet the requirements of this General Permit and applicable provisions of Maine’s waste discharge and water classification statutes and rules. Compliance with this General Permit authorizes a person to discharge stormwater, pursuant to Water Pollution Control Law, 38 M.R.S.A. § 413, as described below. Discharges listed in Part I(D)(2-6) of the General Permit are excluded from coverage under this General Permit. Unless otherwise explicitly noted, this permit only covers operations or activities associated with stormwater runoff from the regulated small MS4 within an identified Urbanized Area.

1.1.1 Stormwater Program Management Plan

The regulated small MS4, hereinafter referred to as the “City of South Portland” or “City” shall develop, implement, and enforce a Stormwater Program Management Plan (“Plan”) implementing six minimum control measures (MCMs), set forth in Section H of the General Permit, which are designed to reduce the discharge of pollutants within the Urbanized Area (UA) from its 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. Maximum extent practicable is generally a focus on pollution prevention and source control. Maximum extent practicable is an iterative process with an ultimate goal of protecting and improving water quality.

For the purposes of the General Permit, narrative effluent limitations requiring implementation of best management practices (BMPs) are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reductions of pollutants to the maximum extent practicable) and to protect water quality. The Plan and all Minimum Control Measures must be substantially implemented by June 30, 2018. The City of South Portland shall describe in its Plan how it will reduce or eliminate polluted stormwater runoff to the maximum extent practicable within the UA, from its MS4.

The City of South Portland’s stormwater management plan and all annual reports shall include descriptions of all control measures being implemented or planned to be implemented towards restoration efforts of the City’s impaired waterbodies, as well as a schedule for implementation for all planned controls.

1.1.2 Minimum Control Measures (MCMs)

The General Permit requires that for each MCM, the City of South Portland shall: define appropriate 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. The minimum control measures to be included in the Plan are as follows:
MCM 1. Public education and outreach on stormwater impacts  
MCM 2. Public involvement and participation  
MCM 3. Illicit discharge detection and elimination  
MCM 4. Construction site stormwater runoff control  
MCM 5. Post-construction stormwater management in new development and redevelopment  
MCM 6. Pollution prevention/good housekeeping for municipal operations

1.1.3 Evaluation and Assessment
As specified in Part IV(J)(1) of the General Permit, the City of South Portland shall evaluate program compliance, the appropriateness of identified best management practices, and progress towards achieving identified measurable goals through annual reporting.

1.1.4 Annual Reporting and Record Keeping
The City of South Portland shall keep records required by the General Permit for at least three (3) years following its expiration, or longer, if requested by the Commissioner. The City shall make records, including its Stormwater Program Management Plan, available to the public at reasonable times during regular business hours.

By September 15, 2014, and annually thereafter by September 15, the City shall submit a report for the Department’s review and approval 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 City’s Plan, an assessment of the appropriateness of identified BMPs, progress towards achieving identified measurable goals for each of the MCMs, and progress toward achieving the goal of reducing the discharge of pollutants to the maximum extent practicable.

b. Results of information collected and analyzed, including monitoring data, if any, during the reporting period.

c. A summary of the stormwater activities the City intends to undertake pursuant to the 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 MCMs 1-6 (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 City’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).
If possible, the City will provide an estimate of annual expenditures for permit compliance for the reporting period and projected budget for the following year.

1.1.5 Impaired Waters and Total Maximum Daily Load (TMDL)

If the waterbody to which a discharge drains is impaired and has an EPA approved TMDL, then the discharge must be consistent with the TMDL waste load allocation and any implementation plan. The General Permit does not authorize a direct discharge that is inconsistent with the WLA of any EPA approved TMDL. If a TMDL is approved or modified by EPA subsequent to the effective date of this General Permit, the Department shall notify the City and may:

1. Require the City 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;
2. Issue a watershed-specific General Permit for the area draining to the impaired waterbody, which may reference parts of the General Permit; or
3. Require an individual permit.

The City of South Portland has three EPA-approved TMDLs for 4 of its 5 urban impaired stream watersheds as follows:

- Barberry Creek – July 2006 Report # DEPLW0172 approved by EPA on 6/21/07
- Kimball Brook – September 2012 Report # DEPLW-1239 approved by EPA on 9/27/12
- Red Brook – September 2012 Report # DEPLW-1239 approved by EPA on 9/27/12
- Trout Brook – September 2007, Report # DEPLW0714 approved by EPA on 10/25/07

All of these TMDLs use percent impervious cover as a surrogate for the mix of pollutants in stormwater. The Long Creek watershed does not have a TMDL and is instead regulated under separate DEP General and Individual Permits (#MEG190000 dated 11/6/09 and DEPLW-1167 dated 6/7/10, respectively).

To reduce the impacts of stormwater on all of these urban impaired streams, the City will implement the Minimum Control Measures as described below. This Plan is consistent with the EPA-approved TMDLs by directly reducing stormwater pollutants through catch basin cleaning and street sweeping, the use of construction site erosion and sediment control and post-construction stormwater BMPs, and the implementation of municipal good housekeeping and pollution prevention practices, among other activities. Moreover, the City’s zoning ordinance requires the use of stormwater BMPs for new development and redevelopment projects not regulated by the State’s Chapter 500 Stormwater Management standards.

SECTION 1.2 BASIS OF PLAN DEVELOPMENT

This 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 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 (2010) census by the U.S. Census Bureau, of the regulated small MS4.
SECTION 2. REGULATED MS4 INFORMATION

SECTION 2.1 LOCATION MAP
The location map for the City of South Portland is included as Figure 2.1.

SECTION 2.2 URBANIZED AREA MAP
The urbanized area map was developed from the U.S. Census Bureau (2010) Urbanized Area and Urban Cluster Data. The City of South Portland is approximately 12.3 square miles and the Urbanized Area within the City is approximately 11.3 square miles (Figure 2.2). The portion of the City that does not reside within the UA is subject to separate DEP permit requirements developed specifically for the Long Creek watershed. However, since the UA encompasses the majority of South Portland, for ease of implementation the City will consider the UA as effectively encompassing the entire municipality.
SECTION 2.3 PRIORITY WATERSHEDS

The City's highest priority watershed is the Trout Brook watershed. It was chosen for several reasons, including but not limited to:

- Maintain momentum for ongoing watershed restoration efforts
- Continue productive partnership with Town of Cape Elizabeth to address impairment sources in the watershed
- DEP Urban Impaired Stream designation
- DEP "high restoration potential" designation

The area of the Trout Brook watershed located within the City boundaries is approximately 0.9 square miles with the remaining 1.45 square miles residing in the Town of Cape Elizabeth. The second highest priority watershed is the Barberry Creek watershed. It was chosen because it is comprised of commercial and light industrial land uses, is located completely within the boundaries of the City, and has a relatively high percentage of impervious cover. The Trout Brook and Barberry Creek watersheds as well as the other urban impaired stream watersheds are shown in Figure 2.3.
Figure 2.3: Urban Impaired Stream watersheds in City of South Portland
SECTION 3. MINIMUM CONTROL MEASURES

MCM 1 PUBLIC EDUCATION AND OUTREACH

The City of South Portland will fulfill the requirements for Public Education and Outreach through ongoing participation in the Interlocal Stormwater Working Group (ISWG) and the City’s provision of funding to the ISWG for Public Education and Outreach services, as described in this section of the Plan.

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 BMPs that 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 from the previous MS4 permit cycle.

Responsible Party: South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

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 ISWG’s approved public event.

BMP 1.2 Update and implement Stormwater Awareness Plan.

Responsible Party: South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

Measurable 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.

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.

Responsible Party: South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

Measureable 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.

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.

Responsible Party: South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

Measureable 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 Develop and implement BMP Adoption Plan.**

**Responsible Party:** South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

**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.

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.**

**Responsible Party:** South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

**Measurable Goal 1.6.1** – By July 1, 2014 submit a draft plan on how to meet either permit requirement H.1.a.iv.1 or H.1.a.iv.2. The plan will identify:

a. 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.

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.

Responsible Party: South Portland Stormwater Program Coordinator in cooperation with ISWG Education Coordinator

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.

MCM 2 PUBLIC INVOLVEMENT AND PARTICIPATION

The City of South Portland will fulfill the requirements for Public Involvement and Participation through participation in the Interlocal Stormwater Working Group (ISWG) and the City’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.

Goals:

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

BMP 2.1 Public notice requirement.

Responsible party: South Portland Stormwater Program Coordinator in cooperation with ISWG Stormwater Program Coordinator

Measureable Goal 2.1.1 – the City of South Portland and ISWG will follow state and local Public Notice requirements for both ISWG and individual Stormwater Program Management Plans.
**Measureable Goal 2.1.2** – the City of South Portland and ISWG will follow state and local Public Notice requirements when involving stakeholders in the implementation of the General Permit.

**Reporting:** the Annual Report will describe compliance with public notice requirements including documentation of meetings and attendance, where applicable.

**BMP 2.2 Host public event.**

**Responsible Party:** South Portland Stormwater Program Coordinator in cooperation with ISWG Stormwater Program Coordinator

**Measureable Goal 2.2.1** – the City of South Portland and/or ISWG 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 event must include a pollution prevention and/or water quality theme. The target audience will be adult residents living in the Urbanized Area of the City of South Portland. The message will be tailored to best reach the target audience given the characteristics of the public event. The City of South Portland and/or ISWG will consult with DEP to ensure the event will satisfy the requirements.

**Reporting:** the Annual Report will include a 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. The fifth year Annual Report will provide a comprehensive review of public events including an analysis of the process and impact indicators.

**MCM 3 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)**

The City of South Portland will continue developing, implementing and enforcing a program to detect and eliminate illicit discharges and non-stormwater discharges within the non-combined sewer MS4 area.

**Goals:**

1. Continue developing and maintaining current watershed-based storm sewer system infrastructure map;
2. Implement and enforce a non-stormwater discharge ordinance that includes coordination with the Portland Water District (PWD) to determine if water line and hydrant flushing are significant contributors of pollutants to the City’s MS4 system;
3. Develop and implement a prioritized dry weather outfall inspection plan;
4. Develop and implement a prioritized dry weather open ditch system inspection plan; and
5. Develop a list of septic systems that are 20 years old or older and may discharge to the City’s MS4 system and implement a strategy to detect illicit discharges from any of these systems that may be failing.

For specific permit requirements and suggestions, refer to DEP’s General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV(H)(3).
BMP 3.1 Continue development and maintenance of current watershed-based storm sewer system infrastructure map.

**Responsible Party:** South Portland Stormwater Program Coordinator in cooperation with Water Resource Protection Department Engineer

**Measureable Goal 3.1.1** – the City of South Portland will annually review its current storm sewer system map as well as existing infrastructure maps for storm sewer infrastructure and update, revise and/or incorporate relevant data as necessary.

**Measureable Goal 3.1.2** – the City of South Portland will attempt to incorporate privately owned stormwater infrastructure into its storm sewer system map as new development or redevelopment projects occur.

**Reporting:** the annual report will include a status update of mapping efforts undertaken during the Permit Year.

BMP 3.2 Continue Implementation of Non-stormwater Discharge Ordinance.

**Responsible Party:** South Portland Stormwater Program Coordinator

**Measureable Goal 3.2.1** – the City of South Portland will continue to enforce the Non-Stormwater Discharge Ordinance. This ordinance is referenced in the South Portland Code of Ordinances as Chapter 22 Sewer and Drains, Article XIV Non-Stormwater Discharge (§§22-200 -- 22-209) which was passed on September 8, 2004.

**Measureable Goal 3.2.2** – by no later than December 30, 2014, unless otherwise approved by the Department, using available GIS or other municipal mapping information, the location of hydrants will be added to the storm sewer system infrastructure map to aid in the evaluation; the City of South Portland will work with the PWD to prioritize the hydrants or water lines that have the potential to cause exceedances of the ambient water quality criterion for chlorine when discharged through the MS4. The City will request a water quality progress report that documents what best management practices are being implemented for flushing activity at the prioritized hydrants as well as the PWD’s testing results of the total residual chlorine for any such discharges.

**Measureable Goal 3.2.3** – in Permit Years 3 – 5, the City will request an annual water quality progress report that documents what best management practices are being implemented for flushing activity at
the prioritized hydrants as well as the PWD's testing results of the total residual chlorine for any such discharges.

**Measureable Goal 3.2.4** – if it is determined by the end of Permit Year 3, that water line or hydrant flushing is a significant contributor of pollutants to the MS4, and the PWD has demonstrated that it will not voluntarily implement BMPs in order to reach ambient water quality criteria for chlorine, the City will, as soon as practicable or by no later than the end of Permit Year 4, update their IDDE ordinance to allow enforcement of discharges that cause exceedances of water quality criteria.

**Reporting:** the annual report will include a summary of Non-Stormwater Discharge incidents; it will also include a status update on the evaluation of water line and hydrant flushing as a significant contributor of pollutants to the MS4 and an update on subsequent actions.

**BMP 3.3 Continue development and implementation of dry weather outfall inspection program.**

**Responsible Party:** South Portland Stormwater Program Coordinator

**Measureable Goal 3.3.1** – the City of South Portland will continue conducting dry weather outfall inspections in all the subwatersheds of Long Creek (formerly the highest priority watershed for the 2008-13 MS4 permit) and Trout Brook (the highest priority watershed for the 2013-18 MS4 permit). The boundaries of all subwatersheds may be further refined as additional mapping and field assessment is conducted or as development / redevelopment occurs.

**Measureable Goal 3.3.2** – by the end of Permit Year 1, the City will identify the subwatersheds for dry weather outfall inspections within the second highest priority watershed, Barberry Creek. By the end of Permit Year 3, the City will conduct dry weather outfall inspections in all subwatersheds of Barberry Creek. The boundaries of all subwatersheds may be further refined as additional mapping and field assessment is conducted or as development / redevelopment occurs.

**Measureable Goal 3.3.3** – the City will continue using the standard operating procedure (SOP) and data collection system for the dry weather outfall inspection program from the previous permit cycle and modify either as needed. The SOP includes inspection forms and a policy/procedure or protocol that identifies the steps that must be taken when an illicit discharge is encountered during routine and opportunistic inspections.

**Reporting:** inspection results will be documented in a database management system or other recordkeeping system. The annual report will provide a summary of the inspection results.

**BMP 3.4 Continue development and implementation of dry weather open ditch inspection program.**

**Responsible Party:** South Portland Stormwater Program Coordinator

**Measureable Goal 3.4.1** – the City will continue implementing the inspection program from the previous permit cycle to detect any illicit discharges in the open ditch system of the Long Creek watershed.

**Measureable Goal 3.4.2** – by the end of Permit Year 1, the City will identify the length of open ditches within the highest priority watershed, Trout Brook.

**Measureable Goal 3.4.3** – by the end of Permit Year 2, the City will implement a strategy to detect any illicit discharges in the open ditch system of the Trout Brook watershed.
**Measureable Goal 3.4.4** – by the end of Permit Year 4, the City will identify the length of open ditches within the second highest priority watershed, Barberry Creek.

**Measureable Goal 3.4.5** – by the end of Permit Year 5, the City will implement a strategy to detect any illicit discharges in the open ditch system of the Barberry Creek watershed.

**Reporting:** inspection results will be documented in a database management system or other recordkeeping system. The annual report will provide a summary of the inspection results.

**BMP 3.5** Develop list and evaluation protocols for septic systems that are 20 years old or greater and may discharge into MS4 system in the event of failure

**Responsible Party:** South Portland Stormwater Program Coordinator

**Measureable Goal 3.5.1** – by the end of Permit Year 3, develop a list and evaluation protocols for septic systems that are 20 years old or greater and have the potential to discharge into the MS4 for the Long Creek watershed (formerly the highest priority watershed for the 2008-13 MS4 permit) and Trout Brook (the highest priority watershed for the 2013-18 MS4 permit).

**Measureable Goal 3.6.1** – by the end of Permit Year 4, implement a drive-by evaluation and documentation program for septic systems that are 20 years old or greater and have the potential to discharge into the MS4 for the Long Creek watershed (formerly the highest priority watershed for the 2008-13 MS4 permit) and Trout Brook (the highest priority watershed for the 2013-18 MS4 permit). This septic system inspection and documentation program will include a mechanism for addressing any discharges to the MS4 from malfunctioning septic systems.

**Reporting:** the annual report for Permit Year 3 will provide a summary of the progress made on developing the septic system list and evaluation protocols; the reports for Permit Years 4 and 5 will include a summary of septic system inspection results and associated corrective actions if needed.

**BMP 3.6** Continue implementation of household hazardous waste collection program.

**Responsible Party:** Stormwater Program Coordinator

**Measureable Goal 3.5.1** – as funding allows, the City will continue providing a reasonable means for residents to dispose of hazardous materials by hosting an Annual Household Hazardous Waste (HHW) collection day.

**Reporting:** the annual report will provide the date and cost of the collection day.

**BMP 3.7** Continue supporting the Friends of Casco Bay mobile vessel pumpout service.

**Responsible Party:** Stormwater Program Coordinator

**Measureable Goal 3.6.1** – as funding allows, the City will continue to financially support the mobile vessel pumpout service.

**Reporting:** the annual report will include the amount of the City's contribution toward the pumpout service.
BMP 3.7  Continue to provide public complaint hotline.

**Responsible Party:** Stormwater Program Coordinator

*Measureable Goal 3.7.1* – the City will continue to provide an easy and confidential method for individuals to report suspected illicit connections or illegal dumping via the voice mail system for the Water Resource Protection Department and the online complaint form.

**Reporting:** the annual report will include documentation of illicit discharge incidents and municipal enforcement actions taken under the Non-Stormwater Discharge Ordinance. The annual report will also provide a summary of any online stormwater violation complaints received.

BMP 3.8  Storm drain stenciling.

**Responsible Party:** Collection Systems Manager, Water Resource Protection

*Measureable Goal 3.8.1* – the City will continue to annually stencil catch basins as needed in conjunction with catch basin cleaning.

**Reporting:** the annual report will include a status update on storm drain stenciling.

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**MCM 4  CONSTRUCTION SITE STORMWATER RUNOFF CONTROL**

**Goals:**

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. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.

For specific permit requirements and suggestions, refer to DEP’s General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV(H)(4).

Per General Permit Part IV(H)(4a), the City of South Portland will rely on the Maine Construction General Permit or Chapter 500, Stormwater Management.

**BMP 4.1  Continue to notify construction site developers and operators about Maine Construction General Permit or Chapter 500 requirements for stormwater discharge associated with construction activities.**

**Responsible party:** Community Planner

*Measureable Goal 4.1.1* – continue notification procedures from previous permit cycle that occur through the site plan review permitting process. Additionally, notification is provided to building permit applicants that meet the one acre threshold.

*Measureable Goal 4.1.2* – continue annual evaluations of current notification system and modify if necessary.
**Reporting:** the annual report will include a description of any updates made to the notification procedures.

**BMP 4.2** Continue implementing procedures to annually document every construction activity that disturbs one or more acres within the Urbanized Area.

**Responsible party:** Stormwater Program Coordinator in cooperation with Community Planner

**Measurable Goal 4.2.1** – continue implementation of tracking system to record every activity that disturbs greater than or equal to one acre. This system will track and differentiate construction activities within an urban impaired stream watershed; priority watershed(s), and all other watersheds. The system will be used to summarize data to be included in the annual report submitted to the DEP.

**Reporting:** the number of construction activities disturbing greater than or equal to one acre will be included under MCM 4, BMP 4.3, described immediately below.

**BMP 4.3** Continue implementation of construction site inspection program.

**Responsible party:** Stormwater Program Coordinator in cooperation with Community Planner

**Measurable Goal 4.3.1** – continue procedures for construction site inspections which meet the terms and conditions of the General Permit and modify if necessary.

**Measurable Goal 4.3.2** – continue use of standardized inspection form to ensure documentation of all required inspections.

**Measurable Goal 4.3.3** – continue implementation of process for tracking and notifying the site developer or contractor of non-compliance issues. The inspector will complete an inspection report that will be transmitted to the City, and necessary enforcement will be the responsibility of the City. Sites that are not in compliance will be issued a written letter from the City requiring the site to come into compliance within a specified time period. If the violation continues, continued non-compliance will be reported to the DEP with supporting documentation.

**Measurable Goal 4.3.4** – continue inspecting construction sites located in the watershed of an urban impaired stream a minimum of three times, and inspect construction sites located in all other watersheds a minimum of two times. For all construction sites, at least one of the required inspections will be at project completion to ensure that all post-construction BMPs were properly installed and that final stabilization of the site has been completed. All construction inspections will be properly documented.

**Reporting:** inspection results will be documented in a database management system or other recordkeeping system. The annual report will provide a summary of the inspection results.

**BMP 4.4** Promote certified contractors in erosion control practices.

**Responsible party:** Stormwater Program Coordinator in cooperation with Community Planner

**Measurable Goal 4.4.1** – continue encouraging contractors to be certified in erosion and sediment control through the DEP Non-Point Source Training and Resource Center or its designee.
MCM 5 POST-CONSTRUCTION STORMWATER MANAGEMENT IN DEVELOPMENT AND REDEVELOPMENT

Goals:

1. Continue implementing program to address post-construction 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 City's MS4;
2. Continue implementing post-construction discharge ordinance to ensure adequate long-term operation and maintenance of post-construction BMPs;
3. Ensure post-construction BMPs are functioning as intended; and
4. Document and report annually to the DEP all applicable post-construction related information.

For specific permit requirements and suggestions, refer to DEP’s General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV(H)(5).

BMP 5.1 Continue implementing post-construction discharge ordinance

**Responsible Party:** Stormwater Program Coordinator in cooperation with Community Planner

**Measurable Goal 5.1.1** – continue implementing post-construction discharge ordinance.

**Reporting:** the annual report will provide the status of implementation of the post-construction ordinance.

BMP 5.2 Continue implementation of tracking program for post-construction BMPs installed within the Urbanized Area.

**Responsible Party:** Stormwater Program Coordinator

**Measurable Goal 5.2.1** – continue implementing tracking program for post-construction BMPs installed in the UA to ensure completion and receipt of annual certification required by owner / operator of BMPs.

**Measurable Goal 5.2.2** – conduct yearly evaluations of tracking program and modify if necessary.

**Reporting:** documentation of all BMPs and annual certifications will be entered into a database or other recordkeeping system for tracking and annual reporting to DEP. The following information will be included in the City’s annual report to the DEP:

- the cumulative number of sites that have post-construction BMPs discharging into the City’s MS4.
- a summary of the number of sites that have post-construction BMPs discharging into the City'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 were functioning as intended.
BMP 5.3 Develop and implement procedures that notify site developers to consider incorporating low impact development techniques into their projects.

**Responsible Party:** Stormwater Program Coordinator in cooperation with Community Planner

**Measurable Goal 5.3.1** – as specified in the City’s Stormwater Management Performance Standards (Sec. 27-1536), projects requiring a Chapter 500 stormwater permit will comply with the practices described in Maine DEP’s Stormwater Management Manual, which include low impact development techniques.

**Measurable Goal 5.3.2** – as specified in the City’s Stormwater Management Performance Standards (Sec. 27-1536), projects not requiring a Chapter 500 stormwater permit but requiring a Post-Construction or Basic Stormwater Management Plan from the City will use LID practices as determined by the Planning Board to be appropriate for the site.

**Measurable Goal 5.3.3** – as specified in the City’s Stormwater Management Performance Standards (Sec. 27-1536), projects not requiring a Chapter 500 stormwater permit but requiring a Drainage Plan from the City are encouraged but not required to use LID practices appropriate for the type of development identified in the Maine DEP’s Volume III – BMP Technical Design Manual or City’s Stormwater Manual.

**Reporting:** the annual report will include a summary of the LID practices used for new development or redevelopment projects.

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**MCM 6 POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

**Goals:**

Prevent or reduce pollutant runoff from municipal operations by:

1. Continue maintaining and updating inventory of all municipal operations conducted in, on, or associated with facilities, buildings, golf courses, cemeteries, parks and open space owned or operated by the City that have the potential to cause or contribute to stormwater or surface water pollution.
   a. Continue implementing written operation and maintenance procedures based on the inventory described above that include 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.
2. Continue conducting employee training.
3. Continue implementing program to sweep all publicly accepted paved streets and publicly owned paved parking lots.
4. Continue implementing program to evaluate and clean catch basins and other stormwater structures that accumulate sediment.
5. Continue evaluating and implementing a prioritized schedule, as necessary, for repairing or upgrading the MS4.
6. Continue implementing stormwater pollution prevention plans for applicable facilities that outline sources of potential stormwater pollutants and the methods by which these pollutants will be reduced or prevented from entering Waters of the State.

For specific permit requirements and suggestions, refer to DEP’s General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems Part IV(H)(6).

**BMP 6.1 Operations at municipally owned grounds and facilities.**

**Responsible Party:** Stormwater Program Coordinator

**Measurable Goal 6.1.1** – continue maintaining and updating inventory of all municipal operations conducted in, on, or associated with facilities, buildings, golf courses, cemeteries, parks and open space owned or operated by the City that have the potential to cause or contribute to stormwater or surface water pollution.

**Measurable Goal 6.1.2** – continue implementing written operation and maintenance (O&M) procedures that include 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 for all areas of the City within the Urbanized Area.

As per Part IV(H)(6.a.i) of the General Permit, the O&M procedures will address, as applicable:

- Proper use, storage, and disposal of petroleum and non petroleum products, hazardous materials, waste materials, pesticides and fertilizers, including minimizing the use of these products and an alternative product analysis;
- Spill response and prevention;
- Vehicle and equipment storage, maintenance, and fueling;
- Amount and type(s) of deicing materials used each deicing season;
- Landscaping and lawn care, including, where applicable, an evaluation of reduced mowing frequencies, establishing and maintaining buffers, and cutting vegetation within 100 feet of a stormwater conveyance or surface water;
- Erosion and sedimentation control;
- Feeding gulls, waterfowl or other wildlife.

**Reporting:** the annual report will include a status update on the municipal operations inventory for all properties owned or operated by the City and the continuing implementation of the O&M procedures for all applicable facilities.

**BMP 6.2 Municipal employee training.**

**Responsible Party:** Stormwater Program Coordinator

**Measurable Goal 6.2.1** – continue to identify training needs and materials and revise / update as necessary.

**Measurable Goal 6.2.2** - continue implementing municipal employee training program to reduce stormwater pollution potential from municipal operations. Topics to be covered by the training program may include, but not be limited to:
a. Maintenance activities, maintenance schedules, and long-term inspection procedures for structural and non-structural stormwater controls to reduce pollutants discharged from the separate storm sewers.

b. Controls for reducing or eliminating the discharge of pollutants into the separate storm sewers from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations, snow disposal areas, and waste transfer stations.

c. Procedures for disposing of waste removed from the separate storm sewers and areas listed above in accordance with all regulatory requirements (such as dredge spoil, accumulated sediments, floatables, and other debris).

**Reporting:** the annual report will include a status update on the implementation of the training program, and will include a list of the types of training, the number of staff receiving training, the length of the training, and the effectiveness of the training.

**BMP 6.3 Street sweeping**

**Responsible Party:** Stormwater Program Coordinator in cooperation with Public Works Superintendent

**Measurable Goal 6.3.1** – continue implementing sweeping program for all publicly accepted paved streets and publicly owned paved parking lots maintained by the City at least once a year as soon as possible after snowmelt.

**Reporting:** the annual report will include a status update on the street sweeping program.

**BMP 6.4 Cleaning of stormwater structures including catch basins.**

**Responsible Party:** Collection Systems Manager, Water Resource Protection

**Measurable Goal 6.4.1** – continue implementing program to evaluate and, if necessary, clean catch basins and other stormwater structures that accumulate sediment at least once every other year and dispose of the removed sediments in accordance with current state law. The City will clean catch basins more frequently, if inspections indicate accumulation of sediment greater than or equal to 50 percent filled.

**Reporting:** the annual report will include a status update on cleaning of stormwater structures.

**BMP 6.5 Repairing or upgrading of stormwater conveyances, structures and outfalls for MS4 system.**

**Responsible Party:** Collection Systems Manager

**Measurable Goal 6.5.1** – continue repairing or upgrading MS4 system conveyances, structures, and outfalls through general maintenance, repairs and new construction, and as part of the combined sewer system separation program.

**Measurable Goal 6.5.2** – continue to evaluate and implement a prioritized schedule, as necessary, for repairing or upgrading the conveyances, structures and outfalls of the MS4.
**Reporting:** the annual report will include a status update on the maintenance and upgrading of stormwater conveyances, structures, and outfalls.

**BMP 6.6 Stormwater Pollution Prevention Plans (SWPPPs)**

**Responsible Party:** Stormwater Program Coordinator in cooperation with Public Works Director and School Bus Maintenance Facilities Manager

**Measurable Goal 6.6.1** – continue implementing SWPPPs for public works facilities, transfer station and school bus maintenance facilities and collaborate with DEP on developing / implementing a training program for municipal facility staff informing them on the requirements of the SWPPP, and how to effectively implement it. The managers for each facility will retain an up-to-date printed copy of the SWPPP on each site so affected employees can refer to it as needed.

**Reporting:** the annual report will include a status update on the development of the SWPPP(s).
SECTION 4. GENERAL REQUIREMENTS

SECTION 4.1 REQUIRED SIGNATURE

"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: [Signature] Date: 1/3/14

Title: City Manager

SECTION 4.2 PLAN AVAILABILITY

This Plan will be retained by the City’s chief elected official or principal executive officer for the duration of the permit period, and copies will be available and retained by municipal officials or employees responsible for implementation of the Plan. The City will make a copy of the Plan available to the following, immediately upon request:

a. The Commissioner of the DEP;
b. The operator of a regulated small MS4, in the case of that regulated small MS4 is adjacent to or interconnected with the City’s storm sewer system; and
c. The public water supply company, in the case of a regulated small MS4 stormwater discharge to a water supply watershed.
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

| Municipality: | City of South Portland | Mailing Address: | 25 Cottage Road |
| Town/City:   | South Portland         | State:          | ME             |
|             |                        | Zip Code:       | 04106          |
| Name and title of chief elected official or principal executive officer: | Jame Galley, City Manager | Mailing Address: | 25 Cottage Road |
| Town/City:   | South Portland         | State:          | ME             |
|             |                        | Zip Code:       | 04106          |
| Name of primary contact person responsible for MS4 stormwater management program: | Fred Dillon, Stormwater Program Coordinator | Mailing Address: | Water Resource Protection Dept. PO Box 9422 |
| Town/City:   | South Portland         | State:          | ME             |
|             |                        | Zip Code:       | 04106          |
| Daytime phone: (with area code) | 207-347-4138 (office) 207-321-6437 (mobile) | Email if available: | fdillon@southportland.org |
| Estimate of the area in square miles of the Urbanized Area: | Approx. 11.3 sq. mi. | Permit Number (if applicable): | MER041018 |

Name of stream(s), wetland(s) or waterbody(ies) to which the regulated Small MS4 discharges and a list of impaired waterbody(ies) which receive stormwater from the Regulated Small MS4 (attach additional sheets as necessary): STREAMS: Anthony Creek, Barberry Creek, Gambler’s Arm Brook, Kimbel Brook (tributary to Trout Brook), Nonesuch River tributary (unnamed), Red Brook, Todd Brook. OTHER WATERBODIES: Clavary Pond, Clark’s Pond, Hinckley Park Ponds, Sawyer Marsh complex, Casco Bay, Fore River

* Denotes Urban Impaired Stream; underlined UIC’s have completed Watershed Management Plans that are being implemented as of 7/1/13. Long Creek not included because it is not part of the designated Urbanized Area in South Portland and is covered under a separate General Permit.

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: [Signature] Date: 7/23/13

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

DEPLW0916 Maine Department of Environmental Protection 5/29/2008